

April 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	<p>4</p> <p>6:45 pm Housing Council</p> <p>7:00 pm City Council</p>	<p>5</p> <p>4:30 pm – Civil Service</p>	6	7	8	9
10	<p>11</p> <p>6:30 pm Electric Committee Board of Public Affairs</p> <p>7:00 pm Water/Sewer Comm.</p> <p>7:30 pm Municipal Properties Committee</p>	12	13	14	15	16
					GOOD FRIDAY OFFICES CLOSED	
17	<p>18</p> <p>6:00 pm Tree Commission</p> <p>7:00 pm City Council</p>	19	20	21	22	23
						10:00 am Arbor Day @ East Riverdowns
24	<p>25</p> <p>6:30 pm – Finance and Budget Committee</p> <p>7:30 pm – Safety and Human Resources Committee</p>	<p>26</p> <p>4:30 pm Civil Service Commission</p>	<p>27</p> <p>6:30 pm Park and Rec Board</p>	28	29	30



City of Napoleon, Ohio

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GENERAL INFORMATION

April 18, 2022

CALENDAR

7:00 PM – City Council Meeting

APPROVAL OF MINUTES

April 4, 2022, Regular Council Meeting Minutes

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS - None

SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 012-22**, an Ordinance Authorizing ODOT to Work within City Limits for Repainting the Route 6 Overpass on Glenwood Avenue; and declaring an Emergency
2. **Ordinance No. 015-22**, an Ordinance Establishing a Fund to be titled OneOhio Subdivision Settlement Allocation Fund as required pursuant to the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement; and declaring an Emergency

THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 010-22**, a Resolution Authorizing Contracts with the Townships of Napoleon, Harrison, Freedom, and the Village of Florida, and Henry County South Joint Ambulance District for Fire Service and/or Emergency Medical Service commencing April 1, 2022; and declaring an Emergency
2. **Ordinance No. 011-22**, an Ordinance amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(t) regarding Golf Simulator Fees

GOOD OF THE CITY (Discussion/Action)

1. Discussion/Action: Approval of April 2022 Power Supply Cost Adjustment Factor as PSCAF 3-month averaged factor \$0.01305 and JV2 \$0.036941
 - For Items 2, 3, 4 and 5 enclosed in your packets are Memorandums from Chad Lulfs for each project
2. Discussion/Action: Final Award of the VanHying Interceptor Project
3. Discussion/Action: Approve a Renewal Contract with Advanced Rehabilitation Technology, Ltd. for the 2022 Sewer Cleaning Program (Program Year 8)
4. Discussion/Action: Approval of Plans and Specifications and Rebid the Ritter Park Path Project.
5. Discussion/Action: Approval of Plans and Specifications for the 2022 Miscellaneous Street Improvement Project
6. Discussion/Action: Renewals of Agricultural Districted located in the City of Napoleon, Ohio, for various properties (direct Law Director to draft legislation approving Ag Districts)
7. Discussion/Action: Set a Public Hearing for Agricultural Districts for Monday, May 2, 2022 at 6:45 pm.
8. Discussion/Action: Accept \$500 Donation from Greg Schuette Insurance Agency for the Napoleon PD Mock Crash
A copy of the check is enclosed

- A Memorandum from Tony Cotter is included for acceptance of the donations to the Parks & Rec Dept.
- 9. Discussion/Action: Accept Donation of a Flagpole from the American Legion Post 300 for the Aquatic Center/Golf Clubhouse
- 10. Discussion/Action: Accept Donation of a Park Bench from Sharon Garmyn for the Oakwood Park Walking Path
- 11. Discussion/Action: Renewal of Liquor Permits in the City of Napoleon
 - this is for the annual renewal if there are no issues no action is required

INFORMATIONAL ITEMS

1. Canceled – Parks & Recreation Committee meeting
2. Agenda – Tree Commission - Monday, April 18th at 6:00 pm
3. Arbor Day is next Saturday, April 23, 2022 at 10:00 am @East Riverdowns Park

CITY COUNCIL

MEETING AGENDA

Monday, April 18, 2022 at 7:00 pm

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

A. Call to Order

B. Attendance (Noted by Clerk)

C. Prayer and Pledge of Allegiance

D. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)
April 4, 2022 Regular Council Meeting Minutes

E. Citizen Communication

F. Reports from Council Committees

1. Electric Committee met on April 11, 2022, and;
 - a. Approved the Power Supply Cost Adjustment Factor for April 2022 as 3-month averaged factor \$0.01305 and JV2 \$0.036941
2. Water, Sewer, Refuse, Recycling and Litter Committee met on April 11, 2022, and;
 - a. Was updated on the progress of construction at the Wastewater Treatment Plant
3. Municipal Properties, Building, Land Use and ED Committee met on April 11, 2022, and;
 - a. Tabled Review of Napoleon Engineering Rules and Regulations
 - b. Tabled Discussion on City Streets
4. Parks and Recreation Committee did not meet earlier tonight due to lack of agenda items.

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

1. Board of Zoning Appeals did not meet on April 12, 2022 due to lack of agenda items.
2. Planning Commission did not meet on April 12, 2022 due to lack of agenda items.
3. Tree Commission met earlier tonight with the agenda items:
 - a. Finalize Arbor Day Observation
 - b. Spring Programs Update

H. Introduction of New Ordinances and Resolutions - None

I. Second Readings of Ordinances and Resolutions

1. **Ordinance No. 012-22**, an Ordinance Authorizing ODOT to Work within City Limits for Repainting the Route 6 Overpass on Glenwood Avenue; and declaring an Emergency
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J. Third Readings of Ordinances and Resolutions

1. **Resolution No. 010-22**, a Resolution Authorizing Contracts with the Townships of Napoleon, Harrison, Freedom, and the Village of Florida, and Henry County South Joint Ambulance District for Fire Service and/or Emergency Medical Service commencing April 1, 2022; and declaring an Emergency
2. **Ordinance No. 011-22**, an Ordinance amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(t) regarding Golf Simulator Fees

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

1. Discussion/Action: Approval of April 2022 Power Supply Cost Adjustment Factor as PSCAF 3-month averaged factor \$0.01305 and JV2 \$0.036941
2. Discussion/Action: Final Award of the VanHyning Interceptor Project
3. Discussion/Action: Approve a Renewal Contract with Advanced Rehabilitation Technology, Ltd. for the 2022 Sewer Cleaning Program (Program Year 8)
4. Discussion/Action: Approval of Plans and Specifications and Rebid the Ritter Park Path Project.
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9. Discussion/Action: Accept Donation of a Flagpole from the American Legion Post 300 for the Aquatic Center/Golf Clubhouse
10. Discussion/Action: Accept Donation of a Park Bench from Sharon Garmyn for the Oakwood Park Walking Path
11. Discussion/Action: Renewal of Liquor Permits in the City of Napoleon

L. Executive Session (as may be needed)

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

N. Adjournment

Roxanne Dietrich - Clerk

did. Mazur stated the street sweeper usually picks a lot of that up and we have been slow on getting the street sweeper out due to staffing level issues. Maassel asked when they paint the bridge, will they put a big tarp down and paint half of it and then tarp the other half and paint the other half? Lulfs said they did not outline the process for us but, do believe that is how they usually do it.

Roll call vote to approve First Read of Ordinance No. 012-22:

Yea- Sicclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

RESOLUTION NO. 013-22 – ODOT SODIUM CHLORIDE CONTRACT

Council President Pro-tem Durham read by title Resolution No. 013-22, a Resolution Authorizing the City Manager to Enter into a Contract for the Purchase of Sodium Chloride in Cooperation with ODOT; and declaring an Emergency

Motion: Haase Second: Knepley
to approve First Read of Resolution No. 013-22

Mazur reported this is the annual salt contract that we have with ODOT. Suspension is being requested as we have just one month to respond and that is not enough time to have three reads unless we call a Special Council meeting.

Motion: Haase Second: Knepley
to suspend the rule requiring three readings of Resolution No. 013-22

Roll call vote to suspend the rule requiring three readings of Resolution No. 013-22

Yea- Sicclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 013-22 under suspension and emergency

Yea- Sicclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

RESOLUTION NO. 014-22 – RITA RULES AND REGULATIONS

Council President Pro-tem Durham read by title Resolution No. 014-22, a Resolution Adopting the Regional Income Tax Agency (RITA) Rules and Regulations for Administration of the Income Tax Code of the City of Napoleon, Ohio; and declaring an Emergency

Motion: Sicclair Second: Knepley
to approve First Read of Resolution No. 014-22

Garringer reported back in 2016 on House Bill 5, all municipalities had to adopt a tax ordinance and the City of Napoleon did. As part of the move to RITA, we need to adopt their rules and regulations that mirrors the Ohio Tax Ordinance as well as the City of Napoleon's. This is part of our July 1st timeline and would ask for suspension of the rules for passage of this.

Motion: Haase Second: Dr. Cordes
to suspend the rule requiring three readings of Resolution No. 014-22

Roll call vote to suspend the rule requiring three readings of Resolution No. 014-22

Yea- Sicclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 014-22 under suspension and emergency

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

ORDINANCE NO. 015-22 – ONEOHIO FUND

Council President Pro-tem Durham read by title Ordinance No. 015-22, an Ordinance Establishing a Fund to be titled OneOhio Subdivision Settlement Allocation Fund as required pursuant to the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement; and declaring an Emergency

Motion: Knepley Second: Sicclair
to approve First Read of Ordinance No. 015-22

Garringer stated this establishes what is called the OneOhio Fund. There was an Auditor of State bulletin that came out suggesting everyone should establish this fund, that is part of the Opioid Settlement we are a part of. Once we receive the funds, we will put the money into that fund. Unless someone else knows, I have no idea how much money we are going to receive or the timeframe at this point. This preps us so we will be ready whenever the money arrives. Durham asked what do those funds have to be used for? Garringer replied from what I've read, it needs to be used on a lot of drug prevention. There is some leeway with that but, there certainly will be guidelines to go with it. Haase asked is there any chance that money could be used to help pay for the radios in the police cars since it would help with the booking and all of that updating? Harmon said that is certainly something we can look into but, believe that it is going to need to be more in line with treatment, prevention and enforcement for drugs. Garringer thought possibly some of the DARE program costs could come out of this fund because that would be drug related. At this point, there is not any guidance out there, this is just for the establishment of the OneOhio fund.

Roll call vote to approve First Read of Ordinance No. 015-22

Yea- Sicclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

ORDINANCE NO. 016-22 – SUPPLEMENT NO. 1

Council President Pro-tem Durham read by title Ordinance No. 016-22, an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 1) for the Year 2022; and declaring an Emergency

Motion: Knepley Second: Haase
to approve First Reading of Ordinance No. 016-22

Garringer explained this is the first part of the first quarter budget adjustments of three pieces of legislation that we are asking for approval and will also be requesting suspension of rules on all three so we can close the books on the month of March. This is the appropriation budget where we basically have increased certain line items for various reasons as spelled out on the exhibit attached. Sometimes it is just a matter that costs came in higher than we anticipated during the budget process. In Fund 220, we had nice increases due to donations we did not anticipate. In Fund 221, we did not budget for certain fees and costs during the budget process. We budgeted zero and then when we had these costs and need to increase to make sure it's paid. There is nothing out-of-line here. The biggie is the \$800,000 for Fund 503. Mazur took it from there explaining Fund 503 is for the improvements to the Industrial Substation. As we had talked about over the last couple of years, the \$800,000 would be to move the behind the meter generation line that runs from the two gas generators in the solar field to the Industrial Substation; to move that line to the back end of the substation where it would feed to the

southside substation. The reason for \$800,000 and not the full amount is that line has to be moved first before the rebuild of the substation takes place. We are working with AMP Transmission (AMPT) right now to get that substation rebuilt; there are some expenses on the distribution side that were talked about. In September of last year, where we left off was of the seven options laid out, option four and option seven the committee reviewed both and decided that option seven was the way to go to line ourselves up for a future transaction with AMPT Transmission if that is something Council would want to approve at a later date, that is where we left it off. Funds were not appropriated for this work because we were still putting the plan together. Engineering is going through right now and the RFQs will go out in conjunction with AMP Transmission to design both the substation and the work that needs to be done on the distribution. That is the portion we did budget for but, this portion we did not budget for is why it needs to be appropriated at this time. The 500 Fund is for the new transformers. This is due to the new business, Dana, that is coming to the system. They will have a little bit larger load; we are anticipating maybe a 3 or 4 megawatt load consistently from them and that requires two - 1500 KVA transformers that are becoming increasingly expensive. We did get money from them as a pass-through cost, they did have to pay for the materials but on the back end, we have to make sure that we have that size of transformer sitting in the yard in case another transformer fails then we have a replacement. It is standard practice to keep materials and supplies on hand. The cost of transformers has basically doubled in price if not more than doubled at this point which is a little alarming, but it is a necessity. We do have a hefty transformer budget now but with the addition of these two transformers that we are buying as replacements and all the other transformers that we have to buy and replace throughout the year; we do need to supplement this account. Maassel asked do we currently have any on hand? Kuhlman said we do but, they are spoken for. ADS is redoing a project right now and we have to set one there while the transformer is still in service. Then, we will remove that one and it will be back in our inventory and will give us two in inventory.

Motion: Haase Second: Knepley
to suspend the rule requiring three readings of Ordinance No. 016-22

Roll call vote to suspend the rule requiring three readings of Ordinance No. 016-22

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Ordinance No. 016-22 under suspension and emergency

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

ORDINANCE NO. 017-22 – TRANSFER OF APPROPRIATIONS 1

Council President Pro-tem Durham read by title Ordinance No. 017-22, an Ordinance Authorizing the Finance Director to make Appropriation Transfers (Transfer of Appropriations 1) from one Appropriation Line Item to another Appropriation Line Item pursuant to ORC. Section 5705.40 for the Fiscal Year ending December 31, 2022 as listed in Exhibit "A;" and declaring an Emergency

Motion: Knepley Second: Haase
to approve First Read of Ordinance No. 017-22

Garringer stated this legislation is the second of three. To enable us to close out the month of March, we are asking for suspension of the rules. All of these were discussed in the Finance and Budget Committee meeting last Monday. These are where we take items that are budgeted from one line item and move it the other instead of just increasing. We do this because it makes a lot more fiscal sense

instead of just raising your budget. We take from a line item that maybe does not need as many funds at the time. A couple of these are called undefined contingencies, we do budget certain amounts for undefined contingencies and basically that is a catch-all line item that if we need it we can move it to whatever line item is requested.

Motion: Knepley Second: Haase
to suspend the rule requiring three readings of Ordinance No. 017-22

Roll call vote to suspend the rule requiring three readings of Ordinance No. 017-22

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Ordinance No. 017-22 under suspension and emergency

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

RESOLUTION NO. 018-22 – TRANSFER NO. 1

Council President Pro-tem Durham read by title Resolution No. 018-22, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances (Transfer No. 1) from Respective Funds to Other Funds pursuant to ORC. Section 5705.14 on an as needed Basis in Fiscal Year 2022, listed in Exhibit "A;" and declaring an Emergency

Motion: Knepley Second: Haase
to pass Resolution No. 018-22 on First Read

Garringer said this is last piece of legislation of the three for the first budget quarter adjustments. Again, we are requesting suspension to be able to close out the month of March. This one is for transferring of funds from one fund to another, there are two. The first we took from the General Fund carryover balance and moved it to our Rotary Garage Fund. That was my decision as the Rotary Garage Fund is an in and out fund other entities pay into. The issue we were having was that it was too tight of an in and out and we needed some flexibility like a carryover balance so, we moved \$15,000 to help free up the process with that. The last one is from the Electric Fund from the 500 Fund to the 503 Fund and that has to do with how the sale of JV5 RECs are currently being done with AMP. We anticipate that it will continue this way. AMP used to send us a check for a certain amount. This one is for two separate amounts making the combined total \$538,000. AMP is now giving us a credit on our bill for that amount. Typically, our AMP bill is around 1 million to 1.1 million dollars and when we received this it was fine except this causes fluctuations in our rates. We take the average of three months plus there are other various factors to try to level that out. We put the credit back in once the billing process is all taken care of and then we move the money from the Electric Fund to the 503 Fund.

Motion: Haase Second: Knepley
to suspend the rule requiring three readings of Resolution No. 018-22

Roll call vote to suspend the rule requiring three readings of Resolution No. 018-22

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 018-22 under suspension and emergency

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

ORDINANCE NO. 019-22 – AMENDING CHAPTER 194.081(A) CREDIT FOR TAX PAID

Council President Pro-tem Durham read by title Ordinance No. 019-22, an Ordinance Amending a certain Section of Chapter 194 of the Code of Codified Ordinances of the City of Napoleon, Ohio, specifically Section 194.081(A) “Credit for Tax Paid – City of Napoleon,” regarding Municipal Income Tax, also Amending Ordinance No.(s) 053-15 and 053-20, and declaring an Emergency

Motion: Knepley Second: Siclair
to approve First Read of Ordinance No. 019-22

Garringer explained this is a cleanup item. With the move to RITA, they looked over what our current tax code is. The way it is written there is nothing wrong with it, it's just that it could have been challenged or it may be challenged in the future. They have seen many tax ordinances dealing with different municipalities and said the way this is currently worded has been challenged before in other municipalities. By changing the verbiage in “Part A” cleans it up. Currently, the way the tax code reads it says *If a resident of Napoleon is subject to and has paid a municipal income tax due to the operation of a business or the receipt of compensation in another taxing municipality, such taxpayer shall be allowed a 70% credit against the Napoleon tax due, but such credit shall not exceed the amount of Napoleon tax levied on such compensation or from the profits of a business.* This is the 70% credit that was changed for this year. The way the language is and should work is if somebody paid a city 2.5% but the Napoleon tax is due at a credit of 1.5%, we should only take that credit of 1.5%. That has been challenged that they take 70% of the 2.5% and end up not owing the City of Napoleon. This cleans up the verbiage that you are going to approve in the ordinance. The key verbiage is by the lower of the tax rate in such other municipality. By changing that verbiage it that takes out the questioning.

Motion: Knepley Second: Haase
to suspend the rule requiring three readings of Ordinance No. 019-22

Roll call vote to suspend the rule requiring three readings of Ordinance No. 019-22

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Ordinance No. 019-22 under suspension and emergency

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

SECOND READS OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 010-22 – FIRE AND EMS CONTRACTS

Council President Pro-tem Durham read by title Resolution No. 010-22, a Resolution Authorizing Contracts with the Townships of Napoleon, Harrison, Freedom and the Village of Florida and the Henry County South Joint Ambulance District for Fire Service and/or Emergency Medical Service commencing April 1, 2022; and declaring an Emergency

Motion: Baer Second: Dr. Cordes
to approve Second Read of Resolution No. 010-22

Mazur stated we are not recommending changing anything but, we did meet with the township representatives and district representatives to try and get a better understanding of the questions they had and to give a better explanation to them. For 2023, one of the things that we will look at is how those contracts are constructed, these were put together a long time ago and with the knowledge Garringer has of how the property tax system works, we believe there is room for improvement from our end. We will look at that and see what happens for 2023 but for 2022, the recommendation is to proceed as is.

Roll call vote to approve Second Read of Resolution No. 010-22

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

ORDINANCE NO. 011-22 – GOLF SIMULATOR FEES

Council President Pro-tem Durham read by title Ordinance No. 011-22, an Ordinance amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(t) regarding Golf Simulator Fees

Motion: Baer

Second: Knepley

to approve Second Read of Ordinance No. 011-22

Mazur reported we have received some feedback and in taking things into consideration, we do have a recommendation to make amendments to the ordinance. The amendments would be to remove the rules and regulations from the legislation and to make the rental rates a per hour rental not a per person rental. If one person rents for an hour or if four people rent for an hour and want to play a round together, they all pay that same rate. The recommendation is to make it an hourly rental and remove the rules and regulations. That would allow staff to administratively make changes to the rules and modify things as needed as this is a new process and would allow us to be flexible in how we operate this facility. If there was a bad weather week in late October or early April we could keep the simulator open a little while longer or if the course is flooded or is in bad condition, it creates that option. Durham asked are we removing all six listed under Section (t)? Mazur – yes. Durham said to compare the cost of what it would have been previously for say a group of three to what it would be after the modifications instead of paying per person how much would that have been? Cotter said we did the research on what type of rates to put in place. Some establishments have pay per person and some were by the hour. I would say there were probably more that charge per person. Maassel questioned making a change without seeing what the changes are. Understand eliminating the rules but it is not cost per person anymore, is that correct? Cotter said the amendment that we are asking for is instead of it being a per person cost, it would be a per hour cost whether it's one person or ten people. Durham said so the weekday before 3:00 pm one hour rate on here previously was \$22.00 per person. If you have a group of three instead of paying \$66 for one hour, you are paying \$22.00 for the whole hour. Maassel said we are talking eliminating the cost per person, are we going to adjust the cost up because you might now have two people in half an hour. Durham stated it saves the citizens a lot of money and whether we have four people taking the simulator up for an hour or if we have one person taking it up for an hour, it's still out of operation for an hour for anyone else. Siclair asked do we need to have a maximum amount of time that can Maassel interjected two hours Siclair continued because someone could probably afford to monopolize it all day if they wanted to. Durham asked has there been any discussion about renting out the facility during the down months. Cotter said just renting the facility in general, we have not had anybody ask that. Durham said, Mr. Haase you are Chair of the Parks and Rec Committee, could we refer that your way? Mazur suggested it probably should go to the Park and Rec Board first. Haase was good with that. Harmon said you will need to move to amend the legislation first. The rules state that if it's on third read and we move to amend then it goes back to second but,

we're simply on second read at this point so it would come back amended on third read. Dr. Cordes had a question about the cost of the system. When we were looking at the per person, we were going to be recouping more income at that time. If we go straight by an hour at that rate, is it going to cover the cost of the system? Cotter said the system potentially will get paid for. Obviously, we have the luxury of having more than half the cost donated. Dr. Cordes said that's what I mean, there is a big difference between doing the per person versus the per hour. Is it going to be something there's a lot of demand for because it's going to be less expensive than other areas that are going by the per person rate? Cotter-it could. Again, this is something new and we just don't know if there will be a lot of demand. Some folks after the golf season are done with golfing, we will find out. Dr. Cordes said but we are suspending the rules, would that give you the capability of making this cost per hour flexible or is this the cost that would be stated? Mazur responded this is a stated cost. Dr. Cordes said should we relook at the cost? Mazur replied this is legislated so, City Council can relook at any of the fees that are levied for any services. Dr. Cordes said I will be honest, I don't know enough about it but, you are talking a very wide difference between three people at \$18 versus \$18 for that half hour. Mazur stated all you are covering is staff time, the building is already heated and cooled. We also have concessions that can be sold as a revenue stream. At the same time, the part-timer or whoever is running the facility for those hours, the \$18 on a weekday before 3 pm more than covers that person's hourly rate. Dr. Cordes said but you have wear and tear on the equipment, and you have other things, don't you see my concern? Mazur - I do, but with one simulator we are at a minimum breaking even if not recouping a little bit of revenue for the Parks and Rec Fund. Durham – Dr. Cordes I think you make a good point about the prices. Dr. Cordes - I don't know where they belong, just want to make sure, there are going to be things like wear and tear and there's going to be maintenance costs. Not that I want to charge any more to citizens than need be but, at the same time it has to at least cover its own cost and just wonder what that factor is. I just don't have a good idea because this is totally out of my realm of experience. Haase stated since this is the first year, nobody has any experience. Dr. Cordes – well, being a first year yes but even utilizing this equipment I know nothing about repair what it takes and just think that ought to be factored in. Siclair stated that is probably for discussion of the Parks & Rec Board and committee. Dr. Cordes - there's going to be something, the projector that's going to need a bulb or something there'll be something there. Siclair said to be accessible cost wise most likely you will have one person or two people going in so, we can look at it later if we need to. Durham agreed it's the first year. With prices being lowered is it going to drive the demand for it and if so that demand can offset some of the cost. Dr. Cordes - right there's the possibility it can have a draw and create a demand for future use. Baer asked we really are not going to be using the simulator until the fall at this point, correct? So, if we do these amendments and then next winter, we see that we are not bringing in the amount of money you or the Parks and Rec Board would like, we can we bring this back at this time next year. Cotter – absolutely. Dr. Cordes - sounds like a great idea.

Motion: Siclair Second: Dr. Cordes
to amend Ordinance No. 011-22 to make it an hourly rental and remove the rules and regulations

Roll call vote to amend Ordinance No. 011-22
Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

Roll call vote to approve Second Read of Ordinance no. 011-22 as amended
Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-

Yea-6, Nay-0. Motion Passed.

THIRD READING OF ORDINANCES AND RESOLUTIONS - None

GOOD OF THE CITY

Review Recommendations on CRA Agreements from the Housing Council and TIRC

Mazur reported the Tax Incentive Review Council (TIRC) met and recommended continuation of all seven CRA Agreements that we have in place. The Housing Council met earlier at 6:45 pm and approved the continuation of all seven CRA Agreements too. We are requesting approval from City Council to continue with the seven CRA Agreements that we have.

Motion: Siclair Second: Knepley
to approve the Housing Council's recommendation to continue with the seven CRA Agreements

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Purchase New In-car Cameras and In-car Computers Off State Contract for the Police Department Utilizing ARPA Funds

Mazur stated the Safety and Human Resources Committee at their March meeting made a recommendation to approve the purchase of this equipment off state term contract. We do have \$110,000 budgeted because had we received the body camera grant, that money would have been used. As we already budgeted for the purchase of those cameras, we would have been reimbursed through the grant. We were not awarded that grant and anticipate future body camera grants will be coming up, at least we are hopeful. If that does happen, then we will apply for the grant but, at this time we do have \$110,000 budgeted. The need here is that the in-car cameras that we purchased some years back are having troubles. They are failing to upload timely, and they are having trouble recording and there are other glitches with them. We have been having a lot of struggles with getting them to work properly plus they are a few years older. The in-car computers are at their end of useful life. They are starting to see wear and tear and are due for replacements as well. Our request is to upfit all the vehicles, not just the four front line vehicles that we have, but to upfit all of them with in-car cameras and new in-car computers. The cost is \$80,000 just for the hardware and software and there is an additional installation cost that would come in separately from this. Since the cost is over \$25,000 it requires City Council's approval to purchase off state term contract.

Motion: Baer Second: Knepley
to enter into a state term contract for purchase of in-car cameras and in-car computers for all patrol vehicles

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Approve Specifications and Plans and go out to Bid for Haley Avenue SSO Removal Project

Lulfs stated this is one of our Long-Term Control Plan projects. Currently, the city has two sanitary sewer overflows that the EPA requires be eliminated. This project will take one of the SSOs that currently dumps into the river when we have very large storm events. This will redirect it into the wet well for the West Lift Station instead of dumping it into the river, it would dump it into a pump station and stay in the sewer system. This project is required to be finished by the end of this year. The plans are finished, and we are asking for approval to go out for bid.

Motion: Knepley Second: Dr. Cordes
to approve the plans and specifications and go out to bid for the Haley Avenue SSO Removal Project

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Grant Application for the Former Central School Property

Mazur stated for the Central School property, the Cultural Center of Henry County had an opportunity that came up last year in December. There was a grant program that the State of Ohio had put out through the Ohio Department of Development and is a Brownfield Remediation Program. This is part of the funding that comes from the Clean Ohio Fund Program. What they did was roll out a grant program at the end of the year to remediate Brownfields and they set aside one million dollars for each county in Ohio. They have a total of 350 billion dollars in funds. The set aside does not require any matching funds but, anything in addition to the set aside for each county would require a 25% match. There are two projects that are in queue in Henry County, one in Hamler and one in the Village of Florida so, this would be a third project. We are anticipating there to be somewhere between \$500,000 to \$600,000 in set-aside money that's available. If this application goes in, we will ask for the remaining set-aside money and then anything in addition to that would require a 25% match. Those are the general guidelines of the grant program. The actual project would be for the demolition of everything on the entire property. The grant amount we would seek would be somewhere between \$700,000 to \$800,000. That is our estimate right now. The original quote to demolish the entire property was around \$550,000 and that was five years ago and did not take into consideration prevailing wage rates. Since this is state funding, it would require prevailing wage rates be followed. If it was \$500,000 from the set-aside, that wouldn't require a match. If it is somewhere between \$700,000 to \$800,000, the additional \$200,000 to \$300,000 would require a 25% match that would be in the range of \$50,000 to \$75,000. Right now, it does require an updated Phase One Environmental Site Assessment and that is currently underway. The application is due April 30, 2022, and we are doing some of the legwork right now to get the application in because of the set-aside money and if there is a little bit of overage, there's still a high likelihood that this grant gets awarded. We do have a representative from the Cultural Center of Henry County here, Mr. Jeffrey Tonjes, and we do have a consent to access agreement signed by the CCHC allowing us access and if the grant is awarded agreeing to turn the property over to the City and the City Manager, the project manager for the demolition project of the entire site including light poles, fencing, buildings and everything that is on the property and including the asphalt parking lot. The request is for Council to approve submitting the grant application and if it is awarded, the city would acquire the property and manage the project.

Jeffrey Tonjes, 8 Park Lane Drive, Napoleon, Ohio. First of all, it is sad we are at the end of our agreement with the school. It would have been a great addition to Napoleon but when this grant came out, we wanted to make sure we protected our Angel Donor. She has agreed that the half a million dollars will still go back into the community and hopefully we will get some type of performing arts center or cultural center with that. Hopefully this grant is good for the City of Napoleon, CCHC, our donors and the community. Thank-you for the time and help.

Garringer stated the estimated match for this would be \$50,000 to \$75,000, is there any way to cap that? Mazur said there is. Let's say the grant is awarded and as I've stated before in an email chain that we had with everybody whatever the grant match is for and what is submitted and if that is something that City Council would be on board with. That match amount could come in a lot of different forms, there is a sewer interceptor that runs through the property that is older and a lot of that could be used as matching money and there could be infrastructure costs as well. That is something to consider when looking at this application. City Council would have to approve the match amount down the road if this is awarded and everything comes to fruition. The purchase agreement would have to have safeguards in place where there would be ownership or responsibility from all parties if there is any overage or

whatever the match amount is, inflation or if there are unforeseen items like asbestos trapped in some kind of utility vault in the building that was overlooked somehow and would have to be removed by statute. The overages would have to be shared in some way by all parties concerned. We want some kind of safeguards in place. Garringer noted in the last three months, every project that we have done is coming in over budget so, this is protecting the City of Napoleon. To protect what we capped if we are obtaining the property however that is written out. We understand we have a vested interest and there are also two other parties that are involved that can't just walk away with nothing. The Napoleon School District used that money or else they would have got rid of it for a dollar, and they would have some responsibilities with this. The Civic Center itself with their Angel Donor could have some responsibility on the money that I understand is sitting in escrow per the agreement. Everything that I have read and been told its sort of like an insurance payment sometimes you have to pay. While we are willing to pay caps of \$75 000, if it goes to \$100,000 somebody should also be responsible to bear the additional \$25,000. I'm coming from the standpoint of protecting the citizens of the City of Napoleon because the taxpayers have already been taxed on this through the levy to have this built. Again, there are two parties other than the City of Napoleon that are involved in this process. Durham – that is a great point. Baer you said the deadline for this grant application is April, do you have any idea the timeframe as to when we might be informed if we receive the grant? Mazur replied the way this application process is going, there has already been one round. This is very unusual for the state to speed through grant rounds like this. We are in round two and the applications are due April 30, 2022. They are slamming these through, this is a common theme with ARPA money or the IJA funds, the infrastructure federal funds. They have announced the awards for Round One and would anticipate that the award of Round Two would come around June 2022. Supposedly there is a Round Three that is due sometime in June and is only for counties that use all of their set-aside money are eligible to apply. Siclair asked if there is a cost to apply? Mazur said we are working with a consultant who is familiar with CleanOhio funds. They are doing this on their own at no cost to the city. The reason being they want to be familiar with the project so if there is a request for qualifications or requests for proposals they have more familiarity with the project and theoretically they can score higher, not guaranteeing that they'll get any contract from the city at all but that's a strategy a lot of consultants use to put their best foot forward and put them in position to maybe get awarded a contract. Harmon asked at this stage in the application process the state isn't requiring legislation or anything like that, right? Mazur said that's correct. Durham stated going back to Garringer's point, that is an excellent point, how do we incorporate those safeguards for the City? Can we still write the grant application while still negotiating with CCHC and the Angel Donor? Mazur – yes and the school. I have made that statement already so everyone is at least aware of that. I do not think that is something people are going to balk at. Nobody wants the project costs to go any higher than what we are anticipating. The property has been looked at already a number of times but, in the event there is something at least we have that in place. That would be something I would suggest to have in the purchase agreement or something like that. If this is awarded the anticipation would be sometime in the summer hopefully we can successfully negotiate a contract with the parties concerned and move forward with some type of purchase agreement and acquire the land and manage the project, sign a grant agreement with the agencies. There is a lot of paperwork shuffling and this is the first step.

Motion: Knepley

Second: Haase

to approve submitting the grant application for the former Central School Property

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Grant Application for Potential Solar Project

Mazur stated this is another one of those grants and this is a pilot program. It is brand new from the USDA Rural Energy Pilot Program. It is a grant opportunity they put together and is pretty involved. The program was put together for community energy planning capacity, building technical assistance, community efficiency and weatherization projects and installation and equipping of community scale renewable energy technologies and systems. As I stated over the past several months, we were exploring opportunities to try to advance a community solar project. I have been approached by some of the electric users to put a project together for some of our larger users. This would be one that would allow users to subscribe to the energy production of that facility. I have been in contact with the ODOT District 2 Deputy Director, Patrick McColley about potentially utilizing land in the medians at the interchanges on 24. Since ODOT really doesn't maintain them anymore and they don't contract to do that work they just let them go. What ODOT is allowing is for communities to maintain them themselves. If solar panels were put into the space that is not utilized right now, Westmoreland where it dead ends into Woodlawn and you have an inverter island potential battery storage area is something we do not have now but is something that could be added in this project or later. The basic premise is to try and use land space that's not being used now, to put it to good use. We are doing this exploration as a request for some of our customers, to put this land to its maximum potential. It says 13 acres but, my guess is that it's going to be somewhere between the 10 and 12-acre range, like a 2-megawatt type solar array that would be a community solar project that could be subscribed to by the users. We do have a letter of support from ODOT allowing us to use that space for this purpose. The application process is pretty rigorous. They want a 15-page Letter of Intent. I believe what they are doing is trying to gauge interest. We have a basic premise of a project now and think this is as good of a time to at least try. You miss a hundred percent of the shots you don't take but, there is a cost. There is a consultant that specializes in renewable energy development that gave us an estimate of \$5,000 to write the 15-page Letter of Intent. That is something that we just do not have the bandwidth in-house right now to put something like that together and would suggest with this being an electric project the cost to come out of the electric fund. The Letter of Intent is due April 19, 2022. That is not the application, the application itself would be due July 18, 2022. They are pushing out these grant opportunities pretty fast and if it's something that we don't want to explore that's fine. Just wanted to put it out there, we do have a project we could submit and this would be the cost. Dr. Cordes - you said that would be about 10 to 15 acres, how many acres do we currently have of solar power on our solar field? Mazur replied with the solar field about 17 or 18 acres of actual panels. Dr. Cordes – with the road being in the way and it's a little bit cut up, it's not going to be as efficient, there's some wasted space there and with the mowing and it is going to be a lot tougher to mow with solar panels. There will be a lot more maintenance mowing than there is just mowing an empty space. I like the idea of the solar, I'm just pointing out there will be more costs with it too. Mazur said there are so hence the request for grant funding. We have to bore underneath, you cannot put overhead in, you have to bore underneath of the ramps, underneath US 24 and underneath all of these roads. Then you will have to build about a thousand feet of line from the inverters to Glenwood. Dr. Cordes - but it is utilizing wasted space. Mazur said and we wouldn't even count the line going to Glenwood, that's a basic cost. It's something you would have to do regardless. I think that the boring work and connecting the islands is what the request would be for. Whatever the delta is between building on a square flat piece of land and then cut out this piece of land to try to apply for a grant that would cover that cost is the basic premise of it. Maassel asked there is no cost for the Letter of Intent? Mazur replied there is a cost of \$5,000 to write the Letter of Intent. The grant we can apply for up to two million dollars, that's the maximum. Maassel said but there's a 20% match? Harmon asked do any other communities have solar panels that close to the road? Mazur said the only one I can think of right now is up 23 through Ann Arbor on the north end of where it bends around by M14. Dr. Cordes said with increased dust will there

not be quite as much sunlight because there will be more traffic and dust getting on the units. I'm just thinking outside the box. Harmon asked how much would the repair cost be if some drunk driver was to go flying through the solar field? I don't know if we could get that amount in restitution in a court case. Mazur said it is insured if that happens to somebody. Siclair stated it will be an improvement to the property for sure. Is it even possible to have a 15-pager done in two weeks? Mazur it is. It's rural development and is federal in nature. I believe it will be easy to get letters of support especially from the schools. Maassel commented we are not going towards more coal as a country, we are going towards renewables, and this is a renewable. \$5,000 for a 15-page Letter of Intent let's take the shot and see what happens. Siclair concurred.

Motion: Siclair Second: Dr. Cordes
to approve having the Letter of Intent written for a potential Solar Project

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Transfer of Liquor Permit from Maumee Valley Pizza LLC to SFRX Holding LLC dba Pizza Hut of Ohio located at 2240 North Scott Street

No action required.

Accept Ohio Law Enforcement Body Armor Grant in the Amount of \$2,950.48

Chief Mack stated this is an annual grant that we apply for. This one is through the State of Ohio and helps offset the cost of the vest.

Motion: Haase Second: Dr. Cordes
to accept the Ohio Law Enforcement Body Armor Grant in the amount of \$2,950.48

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Accept Donation from Napoleon Family Vision of Indoor/Outdoor Carpeting for Oakwood Park Batting Cages in the amount of \$2,000

Mazur reported there is a list of three donations to the Parks and Rec Department. These are the items that was discussed during the budget adjustments.

Motion: Knepley Second: Siclair
to accept the \$2,000 donation from Napoleon Family Vision to the Parks and Rec Department

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Accept Donation from LT Appraisal of Pitching Screens for Oakwood Park Ballfields in the amount of \$350

Motion: Knepley Second: Dr. Cordes
to accept the donation of \$350 from LT Appraisal of pitching screens for Oakwood Park Ballfields

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

Accept Donation from Dennis Wenner of Bench Swings for River Park Adjacent to Boat Launch Ramp Area in the amount of \$1,000

Motion: Haase Second: Siclair

to accept the donation in the amount of \$1,000 from Dennis Wenner for Bench Swings for Ritter Park

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

AROUND THE TABLE

Mazur – The Henry County Hospital Foundation Golf Outing, this is their first annual golf outing, is on July 15, 2022. This is an upcoming event and did not know anyone knew about it.

Harmon – requested an Executive Session for Pending Litigation.

Dr. Cordes – nothing tonight.

Haase - are we going to have the street sweeper working pretty soon? Lulfs – it was out today.

Baer - nothing sir

Maassel - in the packet was the letter for State Representative Hoops and State Senator McColley in opposition to Senate Bill 288, if you want to sign before you leave, the letters are up here.

I saw we are advertising for the application for the position of Clerk of Council, do we know if we have received any applications yet? Mazur - I haven't checked, it is still open until Friday.

Durham - nothing for me

Siclair - I have nothing

Knepley - I want to say *Thank-you* to Officer Strickland. He has been visiting the first graders and I have one impressed first grader. She talks about it every day, he does a great job throughout the whole elementary school. That is appreciated.

Garringer - It is National Hug a Newsperson Day and in lieu of a hug. I would like to give a huge shout out to the people that keep us informed.

EXECUTIVE SESSION

Motion: Siclair Second: Knepley

to go into Executive Session for Pending Litigation

Roll call vote on the above motion:

Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley

Nay-

Yea-6, Nay-0. Motion Passed.

ADJOURN FROM EXECUTIVE SESSION

Motion: Siclair Second: Knepley

to adjourn from Executive Session for Pending Litigation

Roll call vote on the above motion:
Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-
Yea-6, Nay-0. Motion Passed.

Council President Pro-Tem Durham reported no action was taken in Executive Session.

APPROVE PAYMENT OF BILLS

In the absence of any objections or corrections, the payment of bills shall stand approved.

ADJOURNMENT

Motion: Knepley Second: Siclair
to adjourn the City Council meeting at 8:54 pm

Roll call vote on the above motion:
Yea- Siclair, Durham, Baer, Haase, Dr. Cordes, Knepley
Nay-
Yea-6, Nay-0. Motion Passed.

Approved:

April 18, 2022

Joe Bialorucki, Council President

Jason Maassel, Mayor

Submitted by:

Roxanne Dietrich, Recorder

PRELIMINARY LEGISLATION

Consent

Ordinance # 012-22

PID No. 114070

County/Route/Section HEN SR 6 11.73 Bridge Paint

The following is an ordinance enacted by the City of Napoleon, Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

Painting of the HEN-6-1173 (Glenwood Ave.) structure (SFN: 3500268) in Napoleon, Ohio, Henry County

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The City Manager of said City is hereby empowered on behalf of the City
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: _____, 2_022_____
(Date)

Attested: _____
(Clerk Signature)

(Contractual Officer Signature)

Attested: _____
(Clerk Signature)

(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Napoleon, Henry County, Ohio

I, Roxanne Dietrich, as Clerk of the City of Napoleon, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the _____ day of _____, 2022, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

012-22, Page _____ .
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____, 2 022.

Clerk

(SEAL) City of Napoleon, Ohio
(If Applicable)

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Napoleon, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

ORDINANCE NO. 015-22

AN ORDINANCE ESTABLISHING A FUND TO BE TITLED ONEOHIO SUBDIVISION SETTLEMENT ALLOCATION FUND AS REQUIRED PURSUANT TO THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT AND THE ONEOHIO SUBDIVISION SETTLEMENT; AND DECLARING AN EMERGENCY

WHEREAS, the OneOhio Subdivision Settlement was entered into, consistent with terms established by the National Opioid Settlement Agreement, on July 21, 2021; and,

WHEREAS, the City of Napoleon, Ohio accepted the material terms of the OneOhio Subdivision Settlement pursuant to the OneOhio Memorandum of Understanding, with this Council unanimously passing Ordinance No. 033-21 on August 9, 2021; and,

WHEREAS, the Federal Funding Accountability and Transparency Act (FFATA) requires separate accountability for direct recipients as well as subrecipients of federal awards greater than twenty-five thousand dollars (\$25,000); and,

WHEREAS, Ohio Revised Code Section 5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax which the law requires to be utilized for a particular purpose; and,

WHEREAS, the City of Napoleon, Ohio is requesting its share of funds from the OneOhio Subdivision Settlement; and,

WHEREAS, the OneOhio Subdivision Settlement requires municipalities to establish a new fund to be named OneOhio Subdivision Settlement Allocation Fund before receiving said funds; **Now Therefore**,

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

Section 1. That, the City of Napoleon, Ohio, (hereinafter referred to as "the City") hereby establishes a new fund titled OneOhio Subdivision Settlement Allocation Fund consistent with the terms set forth in the July 21, 2021 National Opioid Settlement Agreement.

Section 2. That, the City affirms that all funds received from the OneOhio Subdivision Settlement Allocation Fund pursuant to the July 21, 2021 National Opioid Settlement Agreement, be expended only to cover costs of the subdivision consistent with the terms of said National Opioid Settlement Agreement and OneOhio Subdivision Settlement, and any applicable regulations and guidance. Further, all opioid settlement funds, regardless of allocation, shall be utilized in a manner consistent with the Approved Purposes definition as listed in the OneOhio Subdivision Settlement Memorandum of Understanding.

Section 3. That, the Finance Director is hereby authorized and directed to execute any and all documents necessary to create the OneOhio Subdivision Settlement Allocation Fund.

Section 4. That, in compliance with the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement, the Finance Director of the City of Napoleon shall take all necessary action to:

1. Place the opioid settlement funds into a special revenue fund titled the OneOhio Subdivision Settlement Allocation Fund; and,
2. Pay appropriate expenses directly from the OneOhio Subdivision Settlement Allocation Fund; and,
3. Provide any information related to any payments received under the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement to the Office of the Ohio Auditor of State as requested.

Section 5. That, all amounts collected as a result of this Ordinance shall be placed into the newly created OneOhio Subdivision Settlement Allocation Fund as established by the Finance Director to be used for the expenditures incurred as listed in Section 2 of this Ordinance.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 8. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety 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 at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the process in a timely manner which affects the public peace, health, and safety accessible to our citizens, 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:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 015-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Dietrich, Clerk of Council

RESOLUTION NO. 010-22

A RESOLUTION AUTHORIZING CONTRACTS WITH THE TOWNSHIPS OF NAPOLEON, HARRISON, FREEDOM, AND THE VILLAGE OF FLORIDA, AND HENRY COUNTY SOUTH JOINT AMBULANCE DISTRICT FOR FIRE SERVICE AND/OR EMERGENCY MEDICAL SERVICE COMMENCING APRIL 1, 2022; AND DECLARING AN EMERGENCY

WHEREAS, the Townships of Napoleon, Harrison, and Freedom desire to enter into a contract with the City for Fire and Emergency Medical Rescue Services as authorized in Section 9.60 and Section 505.44 of the Ohio Revised Code; and,

WHEREAS, the Henry County South Joint Ambulance District and the Village of Florida of Henry County, Ohio, desires to enter into a contract with the City for Emergency Medical Services as authorized in Section 9.60 of the Ohio Revised Code;
Now Therefore,

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

Section 1. That, the City Manager is authorized to enter a contract with Napoleon Township, Harrison Township, Freedom Township, all of which are in Henry County, Ohio, for Fire Services and Emergency Medical Services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2022.

Section 2. That, the City Manager is authorized to enter into a contract with the Henry County South Joint Ambulance District and the Village of Florida of Henry County, Ohio, for Emergency Medical Services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and as approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2022.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for emergency services to be rendered in a timely manner, emergency services also utilized by the City inhabitants when needed outside the City's jurisdictional boundaries; 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, it is necessary that these contracts with the Townships, the Village of Florida and the Henry County South Joint Ambulance District be in force 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:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 010-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Dietrich, Clerk of Council

ORDINANCE NO. 011-22

AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO TO ADD SECTION 955.09(t) REGARDING GOLF SIMULATOR FEES

WHEREAS, this Council met on November 13, 2021 and, in order to provide the opportunity for the public to utilize the Municipal golf facilities between the months of November and March, determined it appropriate to purchase a golf simulator; and,

WHEREAS, this Council now deems appropriate that golf simulator fees as listed below shall be created; **Now Therefore**,

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

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

(t) In order to provide an opportunity for the public to utilize the Municipal golf facilities between the months of November through March, a golf simulator rate shall be created per the following:

(1) Golf simulator hours of operation shall be subject to the discretion of the Director of the Parks and Recreation Department.

(2) The City has the right to close the simulator at any time for any cause deemed appropriate by the Parks and Recreation Department.

(3) Nothing in this section shall be construed as to limit City Council's authority to adjust golf simulator rates.

(4) The following table establishes the fees for rental of the golf simulator:

<i>Weekday</i>	<i>Rental Time</i>	<i>Cost</i>
<i>Before 3:00pm</i>	<i>1/2 hour</i>	<i>\$18.00</i>
<i>After 3:00pm</i>	<i>1/2 hour</i>	<i>\$20.00</i>
<i>Before 3:00pm</i>	<i>1 hour</i>	<i>\$22.00</i>
<i>After 3:00pm</i>	<i>1 hour</i>	<i>\$28.00</i>
<i>Weekend/Holiday</i>	<i>1/2 hour</i>	<i>\$24.00</i>
	<i>1 hour</i>	<i>\$32.00</i>

Section 2. That, this Ordinance No. 011-22 amends Ordinance No.(s) 044-15 and 086-18 so as to incorporate and adopt all identified changes noted herein. The remaining, unchanged portions of Ordinance No.(s) 044-15 and 086-18 remain in full force and effect as it existed and to now include section (t).

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

requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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

Section 5. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____
Joseph D. Bialorucki, Council President

Approved: _____
Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 011-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Deitrich, Clerk of Council

CITY OF NAPOLEON, OHIO - PSCAF

POWER SUPPLY COST ADJUSTMENT FACTOR (PSCAF) - COMPUTATION OF MONTHLY PSCAF

COMPUTATIONS WITH CORRECTED DATA FROM JULY, 2015, THROUGH MARCH, 2017

AMP Billed Usage Month	PSCAF City Billing Month	AMP - kWh Delivered As Listed on AMP Invoices	Purchased Power Supply Costs		Rolling 3-Month Totals		Rolling 3 Month Average Cost	Less: Fixed Base Power Supply Cost	PSCA Dollar Difference + or (-)	PSCA-Corrt'd 3 MONTH AVG.FACTOR + Line Loss	Total Residential Cost / kWh For Month		
			(*=Net of Known)		Current + Prior 2 Months								
			(+ OR - Other Cr's)		kWh	Cost						Cost	Cost
			(a)	(b)	(c)	(d)						(e)	(f)
		Actual Billed	Actual Billed w/Cr's	c + prior 2 Mo	d + prior 2 Mo	f / e	\$0.07194 Fixed	g + h	i X 1.075				
Dec'19	Feb'20	12,809,184	\$ 1,098,513.89	37,301,847	\$ 3,267,746.93	\$ 0.08760	\$ (0.07194)	\$ 0.01566	\$ 0.01683	0.1239			
Jan' 20	Mar' 20	12,907,445	\$ 1,152,024.27	38,182,812	\$ 3,339,360.98	\$ 0.08746	\$ (0.07194)	\$ 0.01552	\$ 0.01668	0.1238			
Feb' 20	Apr' 20	12,179,274	\$ 1,114,393.10	37,895,903	\$ 3,364,931.26	\$ 0.08879	\$ (0.07194)	\$ 0.01685	\$ 0.01811	0.1262			
Mar 20	May 20	11,565,546	\$ 1,098,886.88	36,652,265	\$ 3,365,304.25	\$ 0.09182	\$ (0.07194)	\$ 0.01988	\$ 0.02137	0.1299			
Apr 20	June 20	9,957,773	\$ 1,056,718.07	33,702,593	\$ 3,269,998.05	\$ 0.09703	\$ (0.07194)	\$ 0.02509	\$ 0.02697	0.1371			
May 20**	July 20	10,376,392	\$ 982,279.17	31,899,711	\$ 3,137,884.12	\$ 0.09837	\$ (0.07194)	\$ 0.02643	\$ 0.02841	0.1365			
Jun 20	Aug 20	13,172,159	\$ 1,136,941.54	33,506,324	\$ 3,175,938.78	\$ 0.09479	\$ (0.07194)	\$ 0.02285	\$ 0.02456	0.1330			
Jul 20***	Sept 20	15,755,589	\$ 1,211,781.98	39,304,140	\$ 3,331,002.69	\$ 0.08475	\$ (0.07194)	\$ 0.01281	\$ 0.01056	0.1154			
Aug 20	Oct 20	14,271,168	\$ 1,182,034.49	43,198,916	\$ 3,530,758.01	\$ 0.08173	\$ (0.07194)	\$ 0.00979	\$ 0.00731	0.1135			
Oct 20	Dec 20	11,645,057	\$ 1,128,722.92	37,661,159	\$ 3,414,239.00	\$ 0.09066	\$ (0.07194)	\$ 0.01872	\$ 0.02012	0.1299			
Nov 20	Jan 21	11,652,657	\$ 1,113,624.87	35,042,648	\$ 3,345,829.38	\$ 0.09548	\$ (0.07194)	\$ 0.02354	\$ 0.02531	0.1340			
Dec 20	Feb 21	12,648,166	\$ 1,124,907.42	35,945,880	\$ 3,367,255.21	\$ 0.09368	\$ (0.07194)	\$ 0.02174	\$ 0.02337	0.1299			
Jan 21	Mar 21	12,962,585	\$ 1,034,448.66	37,263,408	\$ 3,272,980.95	\$ 0.08783	\$ (0.07194)	\$ 0.01589	\$ 0.01708	0.1236			
Feb 21	Apr 21	12,300,987	\$ 1,049,227.94	37,911,738	\$ 3,208,584.02	\$ 0.08463	\$ (0.07194)	\$ 0.01269	\$ 0.01364	0.1265			
Mar 21	May 21	11,917,978	\$ 1,053,961.87	37,181,550	\$ 3,137,638.47	\$ 0.08439	\$ (0.07194)	\$ 0.01245	\$ 0.01338	0.1237			
Apr 21	June 21	10,765,694	\$ 918,047.72	34,984,659	\$ 3,021,237.53	\$ 0.08636	\$ (0.07194)	\$ 0.01442	\$ 0.01550	0.1261			
May 21	July 21	11,537,945	\$ 964,238.17	34,221,617	\$ 2,936,247.76	\$ 0.08580	\$ (0.07194)	\$ 0.01386	\$ 0.01490	0.1232			
June 21	Aug 21	13,563,554	\$ 1,066,460.78	35,867,193	\$ 2,948,746.67	\$ 0.08221	\$ (0.07194)	\$ 0.01027	\$ 0.01104	0.1166			
July 21	Sept 21	14,499,118	\$ 1,106,204.19	39,600,617	\$ 3,136,903.14	\$ 0.07921	\$ (0.07194)	\$ 0.00727	\$ 0.00782	0.1133			
Aug 21	Oct 21	15,646,644	\$ 1,212,305.64	43,709,316	\$ 3,384,970.61	\$ 0.07744	\$ (0.07194)	\$ 0.00550	\$ 0.00591	0.1110			
Sept 21	Nov 21	12,554,924	\$ 1,097,036.16	42,700,686	\$ 3,415,545.99	\$ 0.07999	\$ (0.07194)	\$ 0.00805	\$ 0.00865	0.1175			
Oct 21	Dec 21	12,131,921	\$ 1,125,088.51	40,333,489	\$ 3,434,430.31	\$ 0.08515	\$ (0.07194)	\$ 0.01321	\$ 0.01420	0.1237			
Nov 21	Jan 22	12,362,753	\$ 1,135,197.78	37,049,598	\$ 3,357,322.45	\$ 0.09062	\$ (0.07194)	\$ 0.01868	\$ 0.02008	0.1281			
****Dec 21	Feb 22	12,816,596	\$ 1,016,008.94	37,311,270	\$ 3,276,295.23	\$ 0.08781	\$ (0.07194)	\$ 0.01587	\$ 0.01706	0.1238			
Jan 22	Mar 22	13,995,086	\$ 1,160,729.26	39,174,435	\$ 3,311,935.98	\$ 0.08454	\$ (0.07194)	\$ 0.01260	\$ 0.01355	0.1199			
Feb 22 ‡	Apr 22	12,258,331	\$ 1,108,306.10	39,070,013	\$ 3,285,044.30	\$ 0.08408	\$ (0.07194)	\$ 0.01214	\$ 0.01305				

**** Addition of \$344,986.22 from sale of JV5 Recs on February 2022 City Billing Month- AMP December 2021 Power Billing Invoice

‡ Addition of \$193,082.78 from sale of JV5 Recs on April 2022 City Billing Month- AMP February 2022 Power Billing Invoice

PSCAF - Preparers Signature:

Name - Lori A. Rausch, Utility Billing Administrator

Lori A. Rausch 3/23/22

Signature

Date

PSCAF - Reviewers Signature:

Name - Kevin L. Garringer, Finance Director

Kevin L. Garringer 3-23-23

Signature

Date

BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE -April, 2022

2022 - APRIL BILLING WITH FEBRUARY 2022 AMP BILLING PERIOD AND MARCH 2022 CITY CONSUMPTION AND BILLING DATA

PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER KWH AND COST ALLOCATIONS BY DEMAND & ENERGY:

DATA PERIOD	MONTH / YR	DAYS IN MONTH MUNICIPAL PEAK							
AMP-Ohio Bill Month	FEBRUARY, 2022	28	21.922						
City-System Data Month	MARCH, 2022	31							
City-Monthly Billing Cycle	APRIL, 2022	30							
=====CONTRACTED AND OPEN MARKET POWER=====									
==PEAKING==									
=====HYDRO POWER=====									
PURCHASED POWER-RESOURCES ->	AMP CT	FREMONT ENERGY	PRAIRIE STATE SCHED. @ PJMC	MORGAN STNLY REPLMNT.2015-20	NORTHERN POWER	JV-2 PEAKING	AMP-HYDRO CSW	WELDAHL-HYDRO SCHED. @ MELDAHL BUS	GREENUP HYDRO SCHED. @ GREENUP BUS
	SCHED. @ ATSI	SCHEDULED	REPLMT@ PJMC	7x24 @ AD	POOL	SCHED. @ ATSI	SCHED. @ PJMC	SCHED. @ MELDAHL BUS	SCHED. @ GREENUP BUS
Delivered kWh (On Peak) ->	0	4,555,238	3,124,698		800,881	33	620,035	89,176	44,686
Delivered kWh (Off Peak) ->					410,613				
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->					-154,584				
Net Total Delivered kWh as Billed ->	0	4,555,238	3,124,698	0	1,056,910	33	620,035	89,176	44,686
Percent % of Total Power Purchased->	0.0000%	37.1605%	25.4904%	0.0000%	8.6220%	0.0003%	5.0581%	0.7275%	0.3645%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$36,512.30	\$30,875.53	\$59,468.55			\$794.64	\$187,282.92	\$16,131.82	\$8,645.87
Debt Services (Principal & Interest)		\$40,468.21	\$114,405.03						
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)	-\$53,615.52					-\$1,370.29			
Capacity Credit	-\$46,617.80	-\$41,338.48	-\$17,847.39			-\$1,297.25	-\$3,325.37	-\$1,998.41	-\$1,067.05
Sub-Total Demand Charges	-\$63,721.02	\$30,005.26	\$156,026.19	\$0.00	\$0.00	-\$1,872.90	\$183,957.55	\$14,133.41	\$7,578.82
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$0.00	\$156,029.57	\$20,252.49		\$33,169.95		\$16,120.91	\$2,318.58	\$402.18
Energy Charges - (Replacement/Off Peak)					\$14,309.42				
Net Congestion, Losses, FTR		\$5,115.17	\$16,825.81				\$3,680.30	\$188.29	\$36.67
Transmission Charges (Energy-Debits)			\$38,712.32						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)		\$50.96							
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)					-\$8,436.31				
Net Congestion, Losses, FTR									
Bill Adjustments (General & Rate Levelization)					-\$1,944.01	\$5.20	-\$4,185.24	-\$601.94	-\$301.63
Sub-Total Energy Charges	\$0.00	\$161,195.70	\$75,790.62	\$0.00	\$37,099.05	\$5.20	\$15,615.97	\$1,904.93	\$137.22
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									
Service Fees AMP-Part A - (+Debit/-Credit)									
Service Fees AMP-Part B - (+Debit/-Credit)									
Other Charges & Bill Adjustments - (+Debit/-Credit)									
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL NET COST OF PURCHASED POWER	-\$63,721.02	\$191,200.96	\$231,816.81	\$0.00	\$37,099.05	-\$1,867.70	\$199,573.52	\$16,038.34	\$7,716.04
Percent % of Total Power Cost->	-6.9623%	20.8912%	25.3290%	0.0000%	4.0536%	-0.2041%	21.8060%	1.7524%	0.8431%
Purchased Power Resources - Cost per kWh->	\$0.000000	\$0.041974	\$0.074189	\$0.000000	\$0.035101	-\$56.596970	\$0.321875	\$0.179850	\$0.172672

BILLING SUMMARY AND CONS

2022 - APRIL BILLING WITH FEBRUARY 2022 A

PREVIOUS MONTH'S POWER BILLS - PU

DATA PERIOD																					
AMP-Ohio Bill Month																					
City-System Data Month																					
City-Monthly Billing Cycle																					
	NYPA		JV-5		JV-6		AMP SOLAR		EFFNCY.SMART		TRANSMISSION		SERVICE FEES		MISCELLANEOUS		TOTAL -				
	HYDRO	HYDRO	WIND	PHASE 1	POWER PLANT	CHARGES	DISPATCH, A & B	CHARGES &	LEVELIZATION	RESOURCES	ALL	RESOURCES	RESOURCES	RESOURCES	RESOURCES	RESOURCES	RESOURCES	RESOURCES	RESOURCES		
	SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges		
Delivered kWh (On Peak) ->	568,952	2,075,136	18,568	74,672	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11,972,075	
Delivered kWh (Off Peak) ->																				410,613	
Delivered kWh (Replacement/Losses/Offset) ->		30,226																		30,226	
Delivered kWh/Sale (Credits) ->																				-154,584	
Net Total Delivered kWh as Billed ->	568,952	2,105,362	18,568	74,672	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12,258,330	
Percent % of Total Power Purchased->	4.6414%	17.1749%	0.1515%	0.6092%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	100.0003%	
COST OF PURCHASED POWER:																				Verification Total ->	100.0000%
DEMAND CHARGES (+Debits)																					
Demand Charges	\$3,839.83	\$40,430.00	\$1,798.16		\$0.00	\$157,415.21														\$543,194.83	
Debt Services (Principal & Interest)		\$54,536.28																		\$209,409.52	
DEMAND CHARGES (-Credits)																					
Transmission Charges (Demand-Credits)		-\$16,032.26	-\$42.25																	-\$71,060.32	
Capacity Credit	-\$4,890.05	-\$16,142.51	-\$189.54																	-\$134,713.85	
Sub-Total Demand Charges	-\$1,050.22	\$62,791.51	\$1,566.37	\$0.00	\$0.00	\$157,415.21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$546,830.18	
ENERGY CHARGES (+Debits):																					
Energy Charges - (On Peak)	\$12,369.83	\$45,574.67		\$3,082.37	\$0.00	\$2,106.90														\$291,427.45	
Energy Charges - (Replacement/Off Peak)																				\$14,309.42	
Net Congestion, Losses, FTR	-\$3,794.60																			\$22,051.64	
Transmission Charges (Energy-Debits)				-\$3,905.70																\$34,806.62	
ESPP Charges									\$19,128.51											\$19,128.51	
Bill Adjustments (General & Rate Levelization)																				\$50.96	
ENERGY CHARGES (-Credits or Adjustments):																					
Energy Charges - On Peak (Sale or Rate Stabilization)																				-\$8,436.31	
Net Congestion, Losses, FTR				-\$2,944.32		\$0.00														-\$2,944.32	
Bill Adjustments (General & Rate Levelization)	\$1,075.46																			-\$1,046.04	
Sub-Total Energy Charges	\$9,650.69	\$45,574.67	\$0.00	-\$3,767.65	\$19,128.51	\$2,106.90	\$0.00	\$0.00	-\$1,046.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$363,395.77	
TRANSMISSION & SERVICE CHARGES, MISC.:																					
RPM / PJM Charges Capacity - (+Debit)											\$180,447.22									\$180,447.22	
RPM / PJM Charges Capacity - (-Credit)																				\$0.00	
Service Fees AMP-Dispatch Center - (+Debit/-Credit)																				\$0.00	
Service Fees AMP-Part A - (+Debit/-Credit)														\$0.00						\$0.00	
Service Fees AMP-Part B - (+Debit/-Credit)														\$2,654.81						\$2,654.81	
Other Charges & Bill Adjustments - (+Debit/-Credit)														\$7,147.12						\$14,978.12	
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180,447.22	\$9,801.93	-\$193,082.78	\$7,831.00	-\$193,082.78	\$0.00	\$0.00	\$0.00	\$0.00	\$4,997.37	
TOTAL NET COST OF PURCHASED POWER	\$8,600.47	\$108,366.18	\$1,566.37	-\$3,767.65	\$19,128.51	\$339,969.33	\$9,801.93	-\$186,297.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$915,223.32	
Percent % of Total Power Cost->	0.9397%	11.8404%	0.1711%	-0.4117%	2.0900%	37.1461%	1.0710%	-20.3554%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	100.000%	
Purchased Power Resources - Cost per kWh->	\$0.015116	\$0.051472	\$0.084359	-\$0.050456	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$915,223.32	
																				\$0.074661	
																				\$0.036941	
																				\$0.036941	

(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV2 Electric Service Rate ->
 (Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV5 Electric Service Rate ->



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: City Council & Mayor
Kevin Garringer, City Finance Director
Jeremy Okuley, WWTP Superintendent
Jeff Rathge, Operations Superintendent
Roxanne Dietrich, Clerk of Council
Date: April 12, 2022
Subject: VanHyning Pump Station Replacement ~
Recommendation of Tentative Award

On Wednesday, February 2, 2022, bids were opened and read aloud for the above referenced project. One bid was submitted and read as follows:

<u>Bidder</u>	<u>Alternate 1</u>	<u>Base Bid</u>
Vernon Nagel, Inc		Base Bid: \$2,711,122.36
	Alternate (Chopper Style Pump): \$180,000.00	
	Alternate (Bore Under Railroad): \$622,075.00	

The Engineer's Estimate for this project is \$2,500,000.00. This project consists of replacement of the existing VanHyning Pump Station.

This project is being funded through the Water Pollution Control Loan Fund (WPCLF) and the Ohio Water Development Authority (OWDA) and will be administered by the Department of Environmental Financial Assistance (DEFA). On Thursday, March 24th, DEFA and the OWDA signed the agreement for our project, securing the required funding and \$500,000 contingency allowing us to move forward. With the funding in place, **I request that Council pass a simple motion granting the Award to Vernon Nagel, Inc. for the Vernon Nagel, Inc. for the VanHyning Pump Station Replacement for their Base Bid in the amount of \$2,711,122.36.** If you have any questions or require additional information, please contact me at your convenience.

CEL



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kevin Garringer, Finance Director
Jeff Rathge, Operations Superintendent
Roxanne Dietrich, Clerk of Council
Date: April 11, 2022
Subject: 2022 Sewer Cleaning ~ Renewal of Contract

In 2021, Advanced Rehabilitation Technology was awarded the Sanitary Sewer Cleaning contract for Year 1. As part of that bid, bidders were also allowed to bid on Year 2. I am requesting award of Year 2 to Advanced Rehabilitation Technology.

Advanced Rehabilitation Technology's bid for Year 2 was \$67,159.90. The budget amount for 2022 is \$70,000.00. This project consists of cleaning various sections of the sanitary sewer collection system. **I request that Council pass a motion for us to execute a renewal contract with Advanced Rehabilitation Technology for the Sanitary Sewer Cleaning Project for Year 2 in the amount of \$67,159.90.** If you have any questions or require additional information, please contact me at your convenience.

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Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kevin Garringer, City Finance Director
Roxanne Dietrich, Clerk of Council
Date: April 12, 2022
Subject: Ritter Park Area Path Project (PID 109008) ~ Re-Bid

On two previous occasions, the above referenced project was advertised for bids and none were received. Per direction and with O.D.O.T. approval, the project was modified and is ready for advertisement for bids.

The revised project includes the path on Jahns Road, into Ritter Park, and along W. Riverview Avenue to the City Administration Building. The remainder of the project will be included with a City funded project for the Front Street portion to be advertised at a later date. The Engineer's Estimate for the project is \$921,685.50 and the completion date has been extended to October 14, 2023. I am requesting City Council's approval of the plans and bid documents to allow us to advertise the project for bids.

CEL



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Department of Public Works

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Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kevin Garringer, City Finance Director
Jeff Rathge, Operations Superintendent
Roxanne Dietrich, Clerk of Council
Date: April 13, 2022
Subject: 2022 Miscellaneous Street Improvements ~ Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the 2022 Miscellaneous Street Improvements project. This project consists of:

- Milling/Resurfacing of Westmoreland Avenue from Bales Road to Woodlawn Avenue
- Milling/Resurfacing of Woodlawn Avenue from Glenwood Avenue to Westmoreland Avenue
- Milling/Resurfacing of the Southbound Lane of Glenwood Avenue from Lynne Avenue to ½ Block South of Lynne Avenue
- Milling/Resurfacing of Concrete Patch on Bales Road from Storm Sewer Emergency Repair
- Milling/Resurfacing of American Road near Napoleon Veterinary Clinic (Apparent Fuel Spill)
- Milling/Resurfacing of Independence Drive from Oakwood Avenue to Industrial Drive
-

Engineer's Estimate of Construction: \$500,000.00

Completion Date: October 29, 2022

CEL

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

GREG SCHUETTE INSURANCE AGENCY, INC.
135 W Washington Street
Napoleon, OH 43545

US Bank

9841

56-258/412

4/11/2022

PAY TO THE ORDER OF City of Napoleon

\$ **500.00

Five Hundred and 00/100*****

DOLLARS

City of Napoleon
PO Box 151
Napoleon, Ohio 43545-0151

MEMO

Napoleon PD Mock Crash



Greg Schuette
AUTHORIZED SIGNATURE

MP

Security features included. Details on back.



City of Napoleon, Ohio

Parks and Recreation Department

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Telephone: (419) 592-4010 Fax: (419) 592-8955

www.napoleonohio.com

Memorandum

To: Joel Mazur, City Manager
From: Tony Cotter, Director of Parks and Recreation
Date: April 13, 2022
Subject: Donation Acceptance Recommendation

I am recommending City Council accept the following donations:

Description	Donor	Location
Flag Pole	Napoleon American Legion	Aquatic Center/Golf Clubhouse
Park Bench	Sharon Garmyn	Oakwood Park walking path

If you have questions or would like additional information, please let me know.



Department
of Commerce

Division of Liquor Control

received
3-21-2022

Mike DeWine, Governor
Sheryl Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITIES
Objections to Renewal of a Liquor Permit

35-088

MARCH 16, 2022

CLERK OF NAPOLEON CITY COUNCIL
PO BOX 151
NAPOLEON OHIO 43545

Dear Clerk of Legislative Authority:

All Class C and D permits to sell alcoholic beverages at retail in your political subdivision will expire on **June 1, 2022**. In order to maintain permit privileges, every permit holder must file a renewal application with the Division.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

In order to register a valid objection with the Division of Liquor Control and request a hearing, the legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection as set forth in Ohio Revised Code Section 4303.292(A). It is suggested that a separate resolution be passed for each permit premises. The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than May 2, 2022.

For your convenience, our website, www.com.ohio.gov/liqr, under "Local Government Resources" contains information on the objection process and other tools for dealing with problem permit locations.

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. For your convenience you may obtain a list of issued permit holders in your jurisdiction from our website under "What are you looking for" and clicking on "Searchable Liquor Control Information" Click on "find information on Liquor Permit Holders". Select type and statuses and enter the search criteria for your county / city / township to bring up the issued permits in your location.

If you determine that there are no permit premises within your jurisdiction that you wish to object to, you do not need to take any action. The renewal applications for those premises will be submitted by the permit holders and will be processed by the Division and issued as appropriate.

If you have any questions, please contact the Legal Section at liquorlegal@com.state.oh.us.

Sincerely,

Licensing Section

City of Napoleon, Ohio

TREE COMMISSION

MEETING AGENDA

Monday, April 18, 2022 at 6:00 pm

Location ~ City Building, 255 West Riverview Avenue, Napoleon, Ohio

1. Call to Order
2. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)
3. Review Tree Call Reports
4. Finalize Arbor Day Observation
5. Spring Programs Update
6. Adjournment.

Roxanne Dietrich

Roxanne Dietrich ~ Clerk

Volkman noted the trees in the downtown tree wells on East Washington look like they were trimmed, they were cut back pretty hard. Did we do that or did someone else? Deblin said to his knowledge we did not.

OTHER MATTERS

Deblin stated he is trying to get a couple more tree contractors. Moyers Tree Service asked to be added to our list and we reached out to Wachtman Tree Service, we have seen them in town a couple of times. A Cut Above the Rest is having equipment issues and having trouble getting the work done. It was made clear to him even if he is the low bidder, we are not sure he will get the contract in the spring.

ADJOURN

Motion: Haase Second: Dr. Cordes
to adjourn the Tree Commission meeting at 6:21 pm.

Roll call vote on the above motion:
Yea- Volkman, Haase, Etzler, Dr. Cordes
Nay-
Yea-4, Nay-0. Motion Carried.

Approved

April 18, 2022

Larr Etzler - Chair



with the
CITY OF NAPOLEON

on Saturday, April 23, 2022 @10:00 am

at East Riverdowns Park

where a Black Gum tree will be planted

with the
City of Napoleon **TREE COMMISSION**

For more information contact
Aron Deblin, Construction Inspector
for the City of Napoleon
adeblin@napoleonohio.com
(419) 592-4010



City of Napoleon, Ohio

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Memorandum

To: Mayor and City Council, City Manager, City Finance Director, Law Director, Department Supervisors, News media
From: Roxanne Dietrich, Clerk
Date: April 14, 2022
Subject: *Parks & Recreation Committee – Cancellation*

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, April 18, 2022 at 6:00 pm has been CANCELED due to lack of agenda items.