

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

GENERAL INFORMATION

June 6, 2022

CALENDAR

MEETINGS

6:15 pm - Technology and Communications Committee

- 1. Approval of April 4, 2021, Minutes
 - a. a copy of the minutes is attached
- Discussion on Changing/Updating the Utility Program and Obtaining a New Server for the Finance Department
 - a. Kevin Garringer asked to have this item presented to committee for discussion as they need to upgrade the current Utilities program. Should they stay with the current vendor, some cost options would be:
 - To buy EP for UTYX, then upgrade to Authority Utility + EP before Jan 31, 2023 will cost: \$72,550
 - To buy EP for UTYX and upgrade to Authority Utility after Jan 31, 2023 will cost: \$90,828
 - b. He also wants to discuss purchasing a new server for the Utility/Finance department as the current server will be reaching its capacity within the year.

7:00 pm - City Council Meeting

First Reading of Ordinances and Resolutions

- Ordinance No. 031-22, an Ordinance Approving a Certain Agricultural District located in the City of Napoleon, Ohio at the Location of County Road R, as applied for by American Road Holdings, LLC.; and Declaring an Emergency
- 2. **Resolution No. 032-22**, a Resolution Amending Resolution No. 051-21, the City's Yearly Reoccurring Costs Legislation; and Declaring an Emergency (Suspension Requested).

Second Reading of Ordinances and Resolutions

- Ordinance No. 028-22, an Ordinance Addressing the Provisions of and Authorizing the City of Napoleon, Ohio to Opt Out of Amended Substitute House Bill 172, and Reaffirming the Ban on the Possession, Sale, and Discharging, Igniting or Exploding Fireworks within the City of Napoleon, Ohio, as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon, Ohio as it existed prior to the enactment of Amended Substitute House Bill 172; and declaring an Emergency
- 2. **Resolution No. 029-22,** a Resolution Authorizing the Transfer of Certain Property to wit: Approximately 10.10 acres, more or less of real property, Parcel No. 28-070078.0200, owned by the City to the Community Improvement Corporation of Henry County, Ohio; and declaring an Emergency

Third Reading of Ordinances and Resolutions - None

Good of the City (Discussion/Action)

- Items 1 and 2 are recommendations from the Safety and Human Resources Committee.
 - 1. Recommendation to Establish a Temporary Position of Assistant Operations Superintendent (direct Law Director to draft Legislation)

- 2. Recommendation to Update Section 197.06 Residency Requirements of the Personnel Code (direct Law Director to draft Legislation)
- 3. 2022 Community Housing Impact and Preservation (CHIP) Program (direct Law Director to draft legislation)
 - a. Maumee Valley Planning Organization is going to apply for funds through the 2022 Community Housing Impact & Preservation (CHIP) Program and needs to update the Partnership Agreement. The update is an extension from the previous agreement to continue the partnership. There are no changes to the agreement.
- 4. Award of the Ritter Park Area Path Project
 - a. Enclosed is a Memorandum from Chad with this recommendation of award.
- 5. Request to Apply for the American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention and Resiliency Grant through the State of Ohio Office of First Responder Wellness for the Police and Fire Departments
- 6. Request to Apply for the WalMart Safety Grant (Police Department)
- 7. Request to Apply for the Women Against Women Act 2022 Grant (Police Department)
- 8. Request to Apply for the PEP Insurance Grant (Police Department)
- 9. Accept Donation of Meeting Room Chairs from NapNaz Church to the Fire Department

■ May 2022			June 2022			Jul 2022 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	Memorial Day Holiday City Offices Closed	31	1	2	3	4
5	6:15 pm Technology & Communications Comm. 7:00 pm City Council	7	8	9	10	11
**** APPA	13 6:30 pm Electric Committee Board of Public Affairs 7:00 pm Water/Sewer Comm. 7:30 pm Municipal Properties Committee National	6:00 pm Park and Rec Board Conference	* * *	16	17	9:00 am – Special Civil Service Comm. Mtg Police Officer Physical Agility Test
19	20 6:45 pm Records Commission 7:00 pm City Council		22 6:00 pm – Special Civl Service Comm. Mtg. – Police Officer Physical Agility Test	23	24	25
26	6:30 pm – Finance and Budget Committee 7:30 pm –Safety and Human Resources Committee	28 4:30 pm Civil Service Commission	29 6:30 pm Park and Rec Board	30		

TECHNOLOGY & COMMUNICATIONS COMMITTEE

MEETING AGENDA

Monday, June 06, 2022 at 6:15 pm

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

- 1) Approval of Minutes: April 4, 2021. (In the absence of any objections or corrections, the Minutes shall stand approved.)
- 2) Discussion on Changing/Updating the Utility Program and Obtaining a New Server for the Finance Department
- 3) Adjournment.

Roxanne Westrich!

TECHNOLOGY AND COMMUNICATIONS COMMITTEE

MEETING MINUTES

Monday, April 5, 2021 at 6:15 pm

PRESENT

Committee Members Ross Durham-Chair, Daniel L. Baer, Ken Haase

City Manager Joel L. Mazur

City Staff Dustin Tewksbury-IT, Justin Mullins-IT

Clerk of Council Roxanne Dietrich
Others News Media on WebEx

ABSENT

CALL TO ORDER

Chairman Durham called the Technology and Communications Committee meeting to order at 6:15 pm.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the November 2, 2020 Technology and Communications Committee meeting were approved as presented.

CITY WEBSITE

Mazur began by saying we have been working on this project for over a year and it is a time-consuming project. Our IT Department has spent a lot of time updating our network, our backend, taking care of critical needs, setting up RecDesk and other items for the pool and clubhouse. There were a lot of details that had to be set up before we could get into the new format. We are ready to launch the new website but before we do, we wanted to present it to the committee and make any changes you may want before we launch the new website. The current website is not user friendly and to make updates or changes, you have to go through each click. On the new website, there are historic pages about Napoleon. The color choice is Midnight Blue. Durham asked if the Economic Development quick link could have a photo that is more relevant to ED. Then, the current photo on the ED quick link could be moved to Parks and Rec. Will you pull events from the Chamber's calendar? Tewksbury said there will be an events calendar. Mazur explained on the Mayor and City Council page we have put a picture of everyone on there now, but Tewskbury interjected we would like to everyone to have the same background. Mazur pointed out some websites you click on the councilmember's picture and their profile pulls up. The Parks and Rec piece is a larger one. You will have the calendar through Rec Desk, rec programs, the Golf Course will have changes, the rates and there will be more pictures. With the new Aquatic Center we will have a more robust site with more items to be put in. For the shelter houses there will be pictures of each shelter house that can be scrolled through and will give a description and the rental rates. When we get the GIS piece dialed in, we would like to have a clickable interactive map of all our parks and facilities that will give a description of what is at each park. It will take time to build everything. Mazur pointed out that Municipal Court and the Fire Department have their own websites that was built by a different company for their purpose. The Annual Water Quality Report has to be published every year and posted on our website. There are some pictures and a nice write-up done by Jeff Weiss. The Zoning and Code Enforcement will have all the permits that can be accessed on the website and will have the contact information for Wood County. Tewksbury stated for the most part it is the same yet different. Mazur said redundancy makes it easier depending on how people search for

things. Tewksbury said on the old website there were things that did not work. One day a week, Justin goes through every link and page. We spent \$15,000 in 2020 and have an additional \$5,000 budgeted for 2021 with \$1,500 being spent thus far. The balance will be used as needed for any changes that WebInstinct needs to make. Mazur stated one thing that is not on here and we want to have included are the social media icons we have. To build a website like this typically you are looking at a cost of \$40,000 to \$60,000. With all the legwork being done in-house, we have spent \$16,500 so far. Durham asked Mazur what do you see as the benefits of having updated a website? Mazur replied, anymore this is the image of the city. Haase noted it has to give good information Mazur interjected and it has to look good from the city's perspective. Second is functionality. We are paying our bills online, we have RecDesk that saves people time so they don't have to come in here to register and pay for the rec programs they can do that online now. People go to the city website to look up schedules and information on basic city services they would otherwise be calling in about. For the most part, the new website is easier and more accessible for people. We will continue to improve services and accessibility to city services and the way people access. Durham stated it looks great. Knowing the amount of time all three of you have put into this, Thank-you. Mazur reported the plan is to launch the new website on April 15, 2021. We will continue to make updates and will get with Council and the Mayor to see what everyone wants on their profile. I really want to work on a map piece. It is a functionality piece for people looking at Napoleon.

ADJOURNMENT

Motion: Haase Second: Baer

to adjourn the Technology and Communications Committee meeting at 6:51 pm.

Roll call vote on the above motion:

Yea-Baer, Durham, Haase

Nay-

Yea-3, Nay-0. Motion Passed.

Approved

June 6, 2022

Ross Durham – Chairman Technology and Communications Committee

CITY COUNCIL

MEETING AGENDA

Monday, June 6, 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)

May 16, 2022 Special Council Meeting Minutes

May 16, 2022 Regular Council Meeting Minutes

- E. Citizen Communication
- F. Reports from Council Committees
 - 1. Finance and Budget Committee did not meet on May 23, 2022 due to lack of agenda items
 - 2. Safety and Human Resources Committee met on May 23, 2022; and
 - a. Approved Recommendation to establish a temporary position of Assistant Operations Superintendent
 - b. Approved Recommendation to Update Section 197.06 Residency Requirements of the Personnel Code
 - 3. Technology and Communications Committee met earlier tonight with the agenda item:
 - a. Discussion on Changing/Updating the Utility Program and Obtaining a New Server for Finance Department
- G. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
 - 1. Civil Service Commission met Tuesday, May 24, 2022; and
 - a. Certified the list for Police Officer Patrolman Grade; and,
 - b. approved establishing an Original Appointment Hiring List for an Entry Level or Lateral Police Officer Patrolman Grade advertising from May 27, 2022 through June 17, 2022 to receive applications from NTN; and set two options for applicants to take Physical Agility test on either Saturday, June 18, 2022 at 9:00 am or Wednesday, June 22, 2022 at 6:00 pm
 - 2. Parks and Rec Board regularly scheduled meeting for May 25, 2022, has been rescheduled to Tuesday, June 14, 2022 at 6:00 pm

H. Introduction of New Ordinances and Resolutions

- 1. **Ordinance No. 031-22**, an Ordinance Approving a Certain Agricultural District located in the City of Napoleon, Ohio at the Location of County Road R, as applied for by American Road Holdings, LLC.; and Declaring an Emergency
- 2. **Resolution No. 032-22**, a Resolution Amending Resolution No. 051-21, the City's Yearly Reoccurring Costs Legislation; and Declaring an Emergency (Suspension Requested).

I. Second Reading of Ordinances and Resolutions

- Ordinance No. 028-22, an Ordinance Addressing the Provisions of and Authorizing the City of Napoleon,
 Ohio to Opt Out of Amended Substitute House Bill 172, and Reaffirming the Ban on the Possession, Sale,
 and Discharging, Igniting or Exploding Fireworks within the City of Napoleon, Ohio, as set forth in Chapter
 1519 of the Codified Ordinances of the City of Napoleon, Ohio as it existed prior to the enactment of
 Amended Substitute House Bill 172; and declaring an Emergency
- 2. **Resolution No. 029-22,** a Resolution Authorizing the Transfer of Certain Property to wit: Approximately 10.10 acres, more or less of real property, Parcel No. 28-070078.0200, owned by the City to the Community Improvement Corporation of Henry County, Ohio; and declaring an Emergency
- J. Third Reading of Ordinances and Resolutions None

- K. Good of the City (Any other business as may properly come before Council, including but not limited to):
 - 1. Discussion/Action: on Recommendation to Establish a Temporary Position of Assistant Operations Superintendent (direct Law Director to draft Legislation)
 - 2. Discussion/Action: on Recommendation to Update Section 197.06 Residency Requirements of the Personnel Code (direct Law Director to draft Legislation)
 - 3. Discussion/Action: on 2022 Community Housing Impact and Preservation (CHIP) Program (direct Law Director to draft legislation)
 - 4. Discussion/Action: Award of the Ritter Park Area Path Project
 - 5. Discussion/Action: Request to Apply for the American Rescue Plan Act (ARPA) First Responder Wellness, Recruitment, Retention and Resiliency Grant through the State of Ohio Office of First Responder Wellness for the Police and Fire Departments
 - 6. Discussion/Action: Request to Apply for the WalMart Safety Grant (Police Department)
 - 7. Discussion/Action: Request to Apply for the Women Against Women Act 2022 Grant (Police Department)
 - 8. Discussion/Action: Request to Apply for the PEP Insurance Grant (Police Department)
 - 9. Discussion/Action: Accept Donation of Meeting Room Chairs from NapNaz Church to the Fire Department
- L. Executive Session (as may be needed)
- M. Approve Payment of Bills (In the absence of any objections or corrections, the payment of bills shall stand approved.)
- N. Adjournment

Roxanne Dietrich - Clerk

CITY COUNCIL SPECIAL MEETING MINUTES

Monday, May 16, 2022 at 6:55 pm

PRESENT	Ρ	R	Ε	S	E	N	T
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Councilmembers Joe Bialorucki-Council President, Daniel Baer, Lori Siclair, Ken Haase, Molly Knepley,

Dr. Dave Cordes

Mayor Jason Maassel
City Manager Joel Mazur
Law Director Billy Harmon
Finance Director Kevin Garringer

Others

Recorder Roxanne Dietrich

ABSENT

CALL TO ORDER

Council President Bialorucki called the Special Council Meeting/Public Hearing to order at 6:55 pm.

Public Hearing for an Application for Placement of Farmland in an Agricultural District (ORC Section 929.02) filed by American Road Holdings, LLC for 11.49 acres.

Garringer stated after we approved all the other applications, it was brought to our attention that this one was not on the list and should have been. We had not received this one from the Auditor's office to be approved then is why we need to have another hearing. American Road Holdings did initially have an application on the list and believe that is where the mix up was and is why we are back again. After the hearing, legislation will need to be approved. Mazur added that is under Good of the City to have legislation drafted. Garringer stated so, that is why this is back, the error was, it was not received by us.

Motion: Knepley Second: Siclair

to approve the Application for Placement of Farmland in an Agricultural District filed by American Road Holdings, LLC for 11.49 acres

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

ADJOURNMENT

Motion: Siclair Second: Dr. Cordes

to adjourn the Special Council Meeting/Public Hearing at 6:58 pm.

Roll call vote on the above motion:

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

Nav-

Yea-6, Nay-0. Motion Passed.

Approved: June 6, 2022	
	Joe Bialorucki, Council President
	Jason Maassel, Mayor

Submitted by: Roxanne Dietrich, Recorder

CITY COUNCIL MEETING MINUTES

Monday, May 16, 2022 at 7:00 pm

PRESENT

Councilmembers Joe Bialorucki-Council President, Daniel Baer, Lori Siclair, Ken Haase,

Molly Knepley, Dr. David Cordes

Mayor Jason Maassel – via WebEx

City Manager Joel Mazur
Law Director Billy Harmon
Finance Director Kevin Garringer

City Staff Clayton O'Brien-Fire Chief

David J. Mack-Chief of Police

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

Others News-media
Recorder Roxanne Dietrich

ABSENT

Councilmember Ross Durham

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes from the May 2, 2022 Special Council meeting and May 2, 2022 Regular Council meeting were approved as presented.

CITIZEN COMMUNICATION - None

REPORTS FROM COUNCIL COMMITTEES

The Electric Committee meeting for May 9, 2022 was canceled by the chair.

Water, Sewer, Refuse, Recycling and Litter Committee did not meet on May 9, 2022 due to lack of agenda items.

Municipal Properties, Building, Land Use and ED Committee did not meet on May 9, 2022 due to lack of agenda items.

The Park and Rec Committee did not meet tonight due to lack of agenda items.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Ordinance No. 028-22 - Opt Out of Amended Substitute House Bill 172

Council President Bialorucki read by title Ordinance No. 028-22, an Ordinance Addressing the Provisions of and Authorizing the City of Napoleon, Ohio to Opt Out of Amended Substitute House Bill 172, and Reaffirming the Ban on the Possession, Sale, and Discharging, Igniting or Exploding Fireworks within the City of Napoleon, Ohio, as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon, Ohio as it existed prior to the Enactment of Amended Substitute House Bill 172; and declaring an Emergency

Motion: Haase Second: Baer

to approve first read of Ordinance No. 028-22

Harmon stated you will recall we had some discussion on House Bill 172 that changed a number of things. For us, those of importance are effective July 1, 2022. There are certain days carved out where people

were allowed to discharge fireworks on their own property. It has been my opinion and believe the Police Chief and Fire Chief agree as well that this is a bad idea at the very least in the municipality of Napoleon. What you have in front of you is legislation reaffirming our rules and banning the discharge, igniting, exploding, etc. of fireworks within the City of Napoleon.

Roll call vote to approve First Read of Ordinance No. 028-22 Yea-Dr. Cordes, Knepley, Siclair, Bialorucki, Baer, Haase Nay-

Yea-6, Nay-0. Motion Passed.

Resolution No. 029-22 - Transfer of 10.10 acres to CIC

Council President Bialorucki read by title Resolution No. 029-22, a Resolution Authorizing the Transfer of Certain Property to wit: Approximately 10.10 acres, more or less of real property, Parcel No. 28-070078.0200, owned by the City to the Community Improvement Corporation of Henry County, Ohio; and declaring an Emergency

Motion: Haase Second: Siclair to approve First Read of Resolution No. 029-22

Mazur reported this is the ten acres of land that the city owns by Defiance Stamping and on the other side is JAC Products. There is a CRA in place for this property waiting for the transfer to file. There is a development agreement that has already been approved by City Council. After talking this through with the Law Director and the CIC Director, it is felt it would be cleaner to run it through the CIC as a pass-through to the developer so they can obtain the property and start some of the site work. Hopefully they follow through with their commitment of developing the Spec Building. Their starting timeframe is September.

Roll call vote to approve First Read of Resolution No. 029-22 Yea-Dr. Cordes, Knepley, Siclair, Bialorucki, Baer, Haase Nav-

Yea-6, Nay-0. Motion Passed.

Resolution No. 030-22 - Brownfield Remediation Program Grant from ODOD

Council President Bialorucki read by title Resolution No. 030-22, a Resolution Authorizing the City Manager to execute any and all documents necessary to Apply for and Accept a Brownfield Remediation Program Grant from the Ohio Department of Development; and declaring an Emergency

Motion: Knepley Second: Dr. Cordes to approve First Read of Resolution No. 030-22

Mazur explained this has to do with the grant for the demolition of the Central School Property with our agreement that we have with the CCHC. The application has already been submitted. There is not anything in the application that specifically states that a resolution is required however, there is a field to upload an ordinance or a resolution from a governing body to support the application. Not wanting to leave anything to chance, it is our recommendation that City Council pass this under suspension tonight so we have it in hand. The application is technically due May 31, 2022 and we would have this in hand if there is a cure period. Typically, some of these grant applications have a cure period and we would have this in tow when they go through the review process. We do not want to leave anything to chance, we do not want this to be a reason why they throw out the application. We do have the approved City Council meeting minutes with the approval from the motion that was made in the

application already. Since there is a field specifically for ordinances and resolutions is the reason for requesting passage so soon.

Motion: Haase Second: Dr. Cordes

to suspend the rule requiring three readings of Resolution No. 030-22

Roll call vote to suspend the rule requiring three readings of Resolution No. 030-22

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

Nav-

Yea-6, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 030-22 under suspension and emergency Yea-Dr. Cordes, Knepley, Siclair, Bialorucki, Baer, Haase Nay-

Yea-6, Nay-0. Motion Passed.

Second Reading of Ordinances and Resolutions - None

Third Reading of Ordinances and Resolutions – None

GOOD OF THE CITY

Review/Approval of the Power Supply Cost Adjustment Factor for May 2022 as PSCAF three-month averaged factor \$0.02048 and JV2 \$0.171688

Mazur reported there are a few items to discuss on this. Last month was the most average month ever and this month we are starting to see a lot of volatility. First, the calculation that you see here for the May bills has a slight error in it. This has happened in the past. It does not happen often. How we have handled this in the past was to reconcile it in the next billing period. Garringer explained late today it was noticed that there is a calculation error with our formula. Instead of .02 it should be .017. What we have done in the past when this happened, and hopefully this does not happen often, is we will reduce next month's amount so that the calculation is offset. Next month we will reduce the factor whatever the factor comes out to because we have not computed it yet by a margin of 0.00333 to offset that since we caught it. The bills are already out and were due today. So, we will adjust it next month. The average person will see very little change but, we have to bill accurately. Siclair asked is this similar to what happened a few years back? Mazur replied that was different, it was over a period of 18 months. Siclair said it was longer but it was the same problem, a calculation issue. Mazur said it was slightly different than this because they were plugging in the wrong numbers from the bill this one appears when they created the new cell line, the formulas might not have carried. Garringer explained the wrong averages were used. We do it by a three-month rolling average and it was not the right three months, it was off which creates the error. Mazur continued so this one is probably the most minor one that we have seen since I have been here. Another item to note, we are starting to see some congestion issues in Prairie State. What that means is, in the Prairie State line in the AMP bill, there is net congestion losses and FTRs. Then, there is transmission from Prairie State to PJM from MISO. Prairie State is in a different regional transmission organization territory, MISO, and the power gets transmitted from Illinois to the PJM territory through Indiana and Ohio that borders and goes all the way to Maryland and covers several states. What is happening is there are a lot of planned outages around there for transmission line upgrades. When they plan for these, all these other transmission lines are not going to go out well and then there are forced outages because of other issues that come about and causes congestion. What is happening is power is being pushed out on a limited amount of lines in space and it is market-based and market-driven and that causes the price to spike. Prairie State is the only project we have that carries

energy from one RTO to the other. The \$51,000 line item we should expect for the next billing month for this to be up and maybe a little bit in May as well. Right now it is being corrected and so it is actually coming back down. These are things that are outside of our control. Another thing is the global energy markets. Right now everybody is seeing price hikes and rates are up in the energy world due to supply issues with natural gas right now. A lot of that was because of curtailment in drilling and production during COVID. We are seeing a lot of exports especially over to Europe because Europe's natural gas prices, even in pre-Ukraine war, were four times higher than than what ours are domestically and are actually up from there and is really expensive there. There is a lot with the Ukraine war that is affecting what we are seeing. The market prices are around the \$75/Mwh range. That is pretty significant when last year at this time, we were seeing around a range of \$30 to \$35/Mwh. You would see anywhere from as low as \$28/Mwh to \$40/Mwh over the last five years when the shale gas drilling was going on and was heavy. Now that the demand is increased quite a bit, the prices over the next two years we will probably see elevated. Maybe not as high as it is right now, hopefully things will die down. It is a market, it's a commodity and is driven by demand and is outside of our control. We are keeping track of it. The good news is the Napoleon customers will not have their bills affected as bad as people that are just buying off the market. We buy very little off of the market and we also pre-purchase natural gas for the Fremont Energy Center, the AFEC project, but we do still buy some off market too but, we do prepay for a lot of that gas and have locked in prices. We are not going to be affected as bad because we are in all of these other projects too. That is where our rates are actually driven from. The good news is the capacity rate in our ATSI zone, that is the First Energy Territory the northern Ohio zone, this year starting June 1st that will be the August billing month, our capacity rates are going down. That is also marketdriven. There is an auction that happens years in advance and what they try to do is create a little bit of predictability in rates and stabilization of rates so it is not constantly volatile. This year's capacity rates for us are going to be lower in our zone starting with the June 1st usage month. You will see a lot of these changes happen next month. Next month's rates will be a little bit lower due to the correction and a little bit lower for next year.

Motion: Siclair Second: Knepley

to approve the May 2022 as PSCAF three-month averaged factor \$0.02048 and JV2 \$0.171688

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

PC 22-02 Subdivision Replat - 918 Park Street

Maassel reported there was an application that came before the Planning Commission. There is a larger lot on Park Street and the owner wants to split that lot into two and sell the undeveloped lot that you can build a house on if you want to. At the Planning Commission meeting, there were three of us there that night and this passed 3-0.

Motion: Knepley Second: Dr. Cordes to approve PC 22-02 Subdivision Replat for 918 Park Street

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

PC 22-03 Conditional Use Permit - 2525 Oakwood Avenue

Maassel stated a lot of us probably remember 2525 Oakwood Avenue as Biljax and Black Swamp Equipment. This is in a Planned Industrial Area and is an industrial type building. What the Planning Commission agreed to was for a permissible use as a restaurant. The permissible use in this Industrial Park is going to be Top Dog that is a hot dog restaurant. This also passed 3-0 by the Planning Commission.

Motion: Knepley Second: Sicliar

to approve PC 22-03 Conditional Use Permit for 2525 Oakwood Avenue

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

Application for Placement of Farmland in an Agricultural District filed by American Road Holdings, LLC for 11.4900 acres

Motion: Haase Second: Knepley

to direct the Law Director to draft legislation for an Agricultural District for American Road Holdings, LLC for 11.4900 acres

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

Amend Resolution No. 051-21; City's Yearly Re-occurring Costs

Mazur stated there was one contractor that was left off, JT's Building and Maintenance, LLC. It is Jerry Tonjes and as you know, he did a lot of work at the Police Department. We also have a purchase order with him to do our nuisance mowing and nuisance abatement work. We are getting real close to the \$25,000 range and would like to get this added. Anything that goes over will be brought back to Council for approval. We do have a quote for something that was discussed previously for improvements at the Police Department but, do not think that is something we need to talk about right now, we just want to make sure JT's is on the list so he does not hit the \$25,000 threshhold without legislation.

Motion: Siclair Second: Knepley

to direct Law Director to draft legislation amending Resolution No. 051-21 adding JT's Building and Maintenance, LLC

Roll call vote on the above motion:

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

Nav-

Yea-6, Nay-0. Motion Passed.

Award of the 2022 Miscellaneous Streets Improvement Project

Lulfs reported on Wednesday, May 11, 2022, bids were opened for the 2022 Miscellaneous Streets project. Bids were received from Henry W. Bergman, Inc. and Gerken Paving, Inc. The project consists of resurfacing Westmoreland, Woodlawn Avenue, a portion of Glenwood, a patch on Bales Road, a patch on American Road and a portion of Independence Drive. Henry W. Bergman was a company we have never worked with. Going back through the records, a record was found that they had paved the parking lot at the Golf Course in 2004. However, none of my staff nor myself have any experience with them. We started calling references and area governmental entities, approximately ten of them and of those ten, six or seven were negative responses, there were two neutral responses and the only positive

response received was for parking lots and chip sealing roads. There was a negative response from one entity regarding a chip sealing job. The two bids were separated by \$10,000 and having gone through several governmental entities and the fact that both bids are under budget and with the biggest problem on three of their projects being they never showed up for two projects and on a third one, they walked off a job; it is my recommendation that Council award this project to Gerken Paving, Inc. at the bid price of \$398,918.50. We do make a recommendation for lowest and best and I believe this is the best. Mazur added the lowest is not always the best, a majority of the time it is. I have been on a couple of projects myself where we had to throw out the lowest bid due to lesser things than this. This was pretty glaring and was a big concern hence the reason for the recommendation. Lulfs said the bid documents do state Council has the right to throw out any and all bids and it also has a stipulation that if we do not award to the low bidder, we are to notify the low bidder of such and give them an opportunity to respond. If we go this route, we will send that paperwork out to give them that opportunity. Harmon stated the Charter and our ordinances permit us to to make the decision based on what Council believes is in the City's best interest. Siclair asked the company is out of Genoa? Lulfs replied yes. Another concern is they are not purchasing their asphalt locally and depending on which one of their plants they bring the asphalt from, it could be a 45-minute drive. Asphalt is to be put down at over 300 degrees and believe that could be very difficult. I see a lot of potential issues and with the reports received from the other governmental entities, I do not think it is worth the risk. We have had several projects the last couple of years with contractors we were not familiar with that have not gone as well as we would have liked. In this case, we have documentation that there have been issues in other communities. They have already had at least one bid possibly two where they were a low bidder this year and were not awarded for all of these same reasons. Mazur commented we have \$500,000 set aside for this and seeing that road repairs and repaying is an important function of the engineering office and one of the city's responsibilities Lulfs interjected I would like to spend the full budgeted amount. We hear everyday the roads are in poor condition. We have \$100,000 left in this line item in our budget and if Council approves the award to Gerken's, I would reach out to them and ask them to quote us a couple more streets we have. We are looking for direction on what to do as we want to spend all the budgeted amount. Mazur stated since they are already mobilized and we do have a couple of streets in that general vicinity that need to be done, the recommended streets would be Glenwood from Woodlawn to Bales and Lynne Avenue. We would repaye the east side of Lynne since the west side has already been done. We can ask them to put the numbers together and then bring them back to City Council or we can take it to the Municipal Properties Committee; however you want to handle it. Lulfs said once we have a contract in place, if we are directed to move forward with getting pricing, I would get a Change Order for Lynne Avenue and a separate Change Order for Glenwood. Mazur said even if the prices came back favorable and they are over \$100,000 there could be a budget adjustment from the unappropriated balance. If you look at Glenwood, there is some heaving going on there and it's starting to unravel. Harmon stated to be clear, this item reads award of the street improvements project so you should just simply vote on what was on the agenda for now. This is a good heads up and Council can continue to think about that but for now, the discussion/action item is just the award of the street improvements project.

Motion: Dr. Cordes Second: Haase

to award the 2022 Miscellaneous Street Improvements Project to Gerken Paving, Inc. for \$398,198.50

Roll call vote on the above motion:

Yea-Dr. Cordes, Siclair, Bialorucki, Baer, Haase

Nay-

Abstain-Knepley

Yea-5, Nay-0, Abstain-1. Motion Passed.

Liquor Permit Application for Lagrange LLC dba Agave Grill at 250 Lagrange Street, Napoleon, Ohio.

Mazur reported this is just a transfer to a new name. That was actually the location of Clubhouse Pizza. Bialorucki asked do we have any idea when they plan to open? Mazur responded it's the same thing with some others like Dunkin Donuts and Bigby. We have their plans, a lot of them are going through Wood County. We do not get a lot of contact from the business owners, they have not asked us for anything, they have complied with everything that we need from them so, there is no need for us to be involved other than curiosity when they are going to open. Bialorucki said my only concern with that would be if we only have a limited amount of liquor permits and if we award this one to them and they do not open for five years or so, that holds one hostage. Harmon explained in this situation, a motion is not necessary. If Council were to object, we would need some very specific reasons. Silence is acceptance in this situation. If somebody has some concerns that they would like to express, then we can certainly discuss that but otherwise, we leave it where it is. It is not necessarily up to us locally unless we have concerns. Baer asked if the previous tenant had a liquor license or beer only? Haase – they did not have a license. Harmon asked Police Chief Mack if there are any concerns? Chief Mack – no.

AROUND THE TABLE

Garringer – I have nothing to add.

Knepley – I do not have any items, thank-you.

Siclair – I do not have any items, thank-you.

Bialorucki - I would like to bring back the discussion we were just having with Lulfs. At this point now can we add something? Harmon advised he is going to need to bring forth more specifics before we Lulfs interjected once we are able to establish a contract, we will be able to get pricing. I believe there is enough input to move forward with getting that pricing. Once I have that pricing, we can do a change order and that will have to come to Council for approval. Mazur asked do you want it to go through the committee or do you want it go through full council? Bialorucki replied to move it a little quicker let's take it right to Council so we can get a couple more streets paved. The only concern I would have is, if we are at \$400,000 now and we have a budget of \$500,000 and knowing change orders are quite often in projects, I do not want us to go up to the \$500,000 and then we have a change order of \$50,000 later on. Lulfs said that is why each of these would be done as a separate change order. The two combined will probably exceed \$100,000. We are not replacing curb on these projects, this would be just grind the top off and put the top on. So, there is not much danger of a change order on any of these since we are not digging we are not going to find anything hidden. We physically measured them so we know what the quantity should be. I do not see us even having a 1% change order on this job. Bialorucki said that is a good idea to look into trying to get a couple more streets done. Mazur said we will know what exactly is in the unencumbered balance too. Not to put the Finance Director on spot but, believe the unencumbered balance of the capital fund is somewhere north of \$700,000. That is going on memory. Bialorucki asked for an update on the Front Street portion for the trail. Lulfs replied there are two pieces. Ritter Park is being advertised for bids. There was a mix up at the state, not by the city. The current bid opening date is set for June 1, 2022 and hopefully we will bring something to Council for award at the June 6, 2022 City Council meeting. That will be the portion from the City Building to the west. The Front Street portion is currently under design. To keep the design costs down, I had my staff do the topographic survey. The survey has been finished, the field investigation has been finished and has been forwarded to the consultant who is working on the plans. We are hoping to have a preliminary set to next week or so. I cannot say when those plans will be ready to go for bid but, they are currently being designed and it is the same firm that designed the other two thirds of the project.

Baer – I do not have any items for tonight.

Haase – I do not have any items.

Dr. Cordes - Nothing for me.

Harmon - Nothing for me, Thank-you

Mazur - An update on the boat ramp. I have limited information but will just state that with the rain this weekend, the river levels were still a little bit up. There was a certain portion that we were going to have poured and replaced and when they got even further down, there was some broken washed out concrete that we had the contractor replace too. Since he was there, we needed to make a decision on an adjustment. So, it went a little bit further down in the water than what the original plan was. Most of the year you cannot even see it, it just happened to be at a point where we were able to see it while tearing it out. It was not a lot but, it is enough that when the river level changes we need it to go down. They attempted to sandbag and pump water but it wasn't working, they could not get it out fast enough to get it poured. They are going to complete it either tomorrow. Lulfs said they are hoping to prep it tomorrow and potentially finish the last pour on Wednesday using MS concrete. With MS concrete you can drive on it in three days. It costs a little more but, we have used it on other projects when we need to get on something quickly. Mazur said it needs a certain amount of time to cure so, we will get a notice out so everybody knows when it is going to be opened up so they can get their docks and boats in. At this pace, we will still be ahead of Memorial Day but, know we are pushing up against the edge.

The Day of Giving with Crossroads Church and NapNaz had about 350 people out that day. You saw him them all over town Sunday morning picking up litter along the road, helping paint facilities and bathrooms. Some of the parks really needed it, a lot of them got tagged with some graffiti. That is something that we battle all the time. They did a really good job and it looks really nice. The big one was Kidz Kingdom. If you have not been there in a while and you walk around and look at it, you could see where things were really starting to age, at least like the decorative painting type items. They went through and had all hands on deck and they did great work.

Maassel – I was going through the website, everything technology wise has worked and looks great. Appreciate everybody's help with that but, I did notice that the picture for the Police and Fire Department still has our Fire and Police Chiefs in masks. I was wondering if we can get a picture taken and redone maybe on Thursday night. I know there's some photographs being taken on Thursday night for some people that wear badges for a living. I agree with what we said about potentially spending some more dollars and using all the appropriated dollars for repaving roads. That is a really good idea especially if not having another mobilization cost. I think everybody kind of agrees and not to steal Councilman Haase's thunder but, it is only going to be more expensive next year. I had an opportunity to spend some time with second graders last week for career day. We did a little mock Council meeting. The kids really enjoyed that.

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.

MOTION FOR ADJOURNMENT

Motion: Knepley Second: Haase to adjourn the City Council meeting at 7:49 pm

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed.

Joseph Bialorucki – Council President

Jason Maassel – Mayor

Roxanne Dietrich - Recorder

ORDINANCE NO. 031-22

AN ORDINANCE APPROVING A CERTAIN AGRICULTURAL DISTRICT LOCATED IN THE CITY OF NAPOLEON, OHIO AT THE LOCATION OF COUNTY ROAD R, AS APPLIED FOR BY AMERICAN ROAD HOLDINGS, LLC.; AND DECLARING AN EMERGENCY

WHEREAS, application was made by American Road Holdings, LLC., pursuant to R.C. Chapter 929, for the purpose of placing 11.49 acres of land used solely for agricultural purposes in an agricultural district; and,

WHEREAS, a public hearing was held on said issue, after notice, pursuant to R.C. 929.02(B), on May 16, 2022; and,

WHEREAS, after said hearing, it was recommended by the hearing board [council] to permit the proposed acres to be placed into an agricultural district, the board being unable to find that the "agricultural district" would cause substantial adverse effects on: (1) municipal services within the municipal corporation; (2) the efficient use of and/or development of property within the municipal corporation; or, (3) the health, safety and welfare of the citizens; Now Therefore,

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

- Section 1. That, the application submitted to the City of Napoleon, Ohio for the placement of eleven and forty-nine hundredths (11.49) acres of farmland into an agricultural district, identified in the application as at the location of County Road R, Napoleon, Henry County, Ohio, the tax district being Napoleon Corp., Napoleon City Area School District, Parcel Number 27-060014.0000, with exception of any portion of any parcel herein listed that is not the name of American Road Holdings, LLC. at the time of the passage of this Ordinance, said application being modified accordingly, is hereby approved by this Council pursuant to R.C. Chapter 929 and this Ordinance; such agricultural district being declared created.
- Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.
- Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the availability of funds required for the installation of a public sewer; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed:		
		Joseph D. Bialorucki, Council President
Approved:		Jason P. Maassel, Mayor
VOTE ON PASSAGE	Yea Nay	y Abstain
Attest		
Roxanne Dietrich, Clerk of Co	ouncil	
foregoing Ordinance No. 031-22 circulation in said City, on the _	was duly publis day of _ d in Chapter 103	r the City of Napoleon, do hereby certify that the hed in the Northwest Signal, a newspaper of general, 2022; & I further certify the 3 of the Codified Ordinances Of Napoleon Ohio and the eetings.
		Roxanne Dietrich, Clerk of Council

RESOLUTION NO. 032-22

A RESOLUTION AMENDING RESOLUTION NO. 051-21, THE CITY'S YEARLY REOCCURRING COSTS LEGISLATION; AND DECLARING AN EMERGENCY

WHEREAS, the City each year has reoccurring costs associated with the conducting of business with groups or associations established for or on behalf of the political subdivisions or instrumentalities of the State, which annually exceed twenty-five thousand dollars (\$25,000); and,

WHEREAS, the City each year has reoccurring costs associated with the conducting of business, many which result in mandatory payments or merely occur as a result of the method of accounting utilized by the City's Finance Department; and,

WHEREAS, for convenience and efficiency, purchase orders are annually written to vendors by multiple departments of the City with a combined total that exceeds twenty-five thousand dollars (\$25,000); and,

WHEREAS, Resolution No. 051-21 was previously passed on December 20, 2021; and,

WHEREAS, certain vendors were omitted from Resolution No. 051-21, and Council now desires to add these vendors for proper payment. **Now Therefore,**

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

Section 1. That, the expenditure of funds by the City in excess of twenty-five thousand dollars (\$25,000), in and for the year 2022, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits listed in Exhibit "A" attached hereto and made a part of this Resolution.

Section 2. That, the expenditure of funds by the City in excess of twenty five thousand dollars (\$25,000), in and for the year 2022, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification listed in Exhibit "B" attached hereto and made a part of this Resolution.

Section 3. That, the expenditure of funds in excess of twenty five thousand dollars (\$25,000) is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2022 from the following vendors; however, in no event shall the amount exceed twenty five thousand dollars (\$25,000) for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution listed in Exhibit "C" attached hereto and made a part of this Resolution.

- Section 4. That, due to nature or uniqueness of the transactions or vending listed in Sections 1, 2 and 3 of this Resolution, except for the prohibition in Section 3 regarding the one time purchase over twenty-five thousand dollars (\$25,000), any requirement that may exist for competitive bidding is hereby eliminated in the best interest of the City.
- Section 5. That, Resolution No. 051-21 is hereby amended to include JT's Building Maintenance and Construction on Exhibit "C" for the purpose of various property maintenance and construction services.
- Section 6. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.
- Section 7. 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 8. 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 9. 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 prompt purchases required to remain operational, being operational essential to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the payment 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 N	Nay Abstain

Attest:	
Roxanne Dietrich, Clerk of Council	
foregoing Ordinance No. 032-22 was duly p general circulation in said City, on the	cil for the City of Napoleon, do hereby certify that the published in the Northwest Signal, a newspaper of day of, 2022; & I ablished in Chapter 103 of the Codified Ordinances of Ohio pertaining to Public Meetings.
	Roxanne Dietrich, Clerk of Council

EXHIBIT "A"

American Municipal Power, Inc. For: Contracted Power Purchase and

Services

BORMA Benefit Plans For: Insurance Premiums (Health)

CIC of Henry County, Ohio For: Economic Development Services
Henry County Auditor For: Auditor Fees and Assessment Fees

Henry County Chamber of Commerce For: Chamber Programs, Tourist Bureau and Other

Henry County Engineer For: Engineering Shared Projects and

Materials

Northwestern Ohio

Water & Sewer District For: Payments for Water Collections

Auditor of State of Ohio For: Annual Auditing Services
Henry County Auditor For: Law Library Payments

MAN Unit For: Police Services and Narcotics Task

Force

Maumee Valley Planning For: CHIS/CHIP Grant Administration

Ohio Bureau of Workers Compensation For: Employee Worker's Comp. Insurance

Coverage

Ohio Police Pension Fund For: Police Pension Payment
Ohio Fire Pension Fund For: Fire Pension Payment

Ohio Public Employers' Retirement System For: Pension Payments

Public Entities Pool (PEP) For: Insurance Premiums (Property & Casualty)

Treasurer State of Ohio For: Various Items

Treasurer State of Ohio, ODOT For: Road Salt & Other Items

EXHIBIT "B"

BHM CPA Group, Inc. For: Auditing Services

Bonded Chemical For: Chemicals at Water Treatment Plant
Bryan Publishing For: Newspaper Publication Services

City of Napoleon, Fuel Rotary For: Fuel Purchases

City of Napoleon, Garage Rotary

For: Garage Rotary Services

City of Napoleon, Income Tax

For: Refunds of Income Taxes

City of Napoleon, Payroll For: Payroll Postings

City of Napoleon, Reimbursements For: Inter-fund Reimbursements

City of Napoleon, Rescue For: Township Portion of EMS Revenues

City of Napoleon, Utility For: Meter Deposit Refunds

City of Napoleon, Utility For: Utility Services

City of Napoleon, Utility For: Water and Sewer Refunds

City of Napoleon, Utility For: Electric Refunds

Farmer and Merchant's State Bank For: Banking and Debt Service Payments

Greenline For: Telephone Services

Huntington National Bank For: Banking & Debt Service Payments

KSB Dubric For: Pump supplies and repairs
Ohio CAT For: Equipment Rental & Parts

Ohio Gas Company For: Utility Services

Ohio Water Development (OWDA)

For: Debt Service Payment
OMEGA JV5/Amp-Ohio Inc.

For: Purchase of Power
For: Purchase of Power
PNC Bank, N.A.

For: Debt Service Payments

Postmaster For: Postal Services and Supply
Rescue-Township Charges (EMS) For: EMS Revenues to Townships

Schonhardt and Associates For: CAFR Preparation

Smart Bill, LTD For: Outsourcing of Utility Bill Printing and

Mailing

Squires, Patton, Boggs (US) LLP For: Bond Counsel (Professional Services)

Telnamix For: City Phone Services

The Accumed Group For: EMS Billings and Collections

Treasurer State of Ohio For: Payments to State

US Bank N.A. For: Debt Service Payments

US EPA (Treasurer, State of Ohio) For: Permits

Verizon Wireless Phone Services

Weltman, Weinberg & Reis For: Collection Services

EXHIBIT "C"

Amazon For: Various City Supplies & Equipment

A & A Custom Crushing For: Concrete Crushing

A Cut Above the Rest Tree Service For: Tree Services

Advanced Rehabilitation Technology For: Sewer Cleaning and Rehabilitation

Altec Industries For: Digger Truck Services

All Seasons Tree Care For: Tree Services

Alloway For: Professional Services – Lab Testing

American Pavements, LLC For: Crack Sealing

American Property Analysts For: Property Appraisals

American Rock Salt Co., LLC For: Road Salt

Anixter Inc. For: Electrical Transformers, Parts and

Supplies

Axon For: Tasers & Body Cameras

B Clean Pro Services For: Janitorial Services

Baker Vehicle Systems For: Vehicle Parts & Repairs

Baldwin Poles For: Utility Poles

Bob Wingate, Integrity Solutions For: Bridge Inspections, Management &

Repairs

Boundtree Medical Supply, LLC

Brown Supply Co.

Brownstown Electric Supply

Buck Pavement Restoration

For: Medical Supplies

For: Janitorial Supplies

For: Electrical Supplies

For: Crack Sealing

Buckeye Pumps For: Pump Repairs and Parts

Burch Hydro For: Electrical Supplies & Sludge Removal
Burke Excavating and Mowing For: Construction and Mowing Services

Bryan Excavating For: Construction Services
Cahaba Timber For: Wood Electric Poles

Cargill, Inc. For: Road Salt

C&W Tank Cleaning For: Digester Cleaning

CDW Government, Inc. For: Computers and Supplies

Chemtrade Chemicals US, LLC For: Chemicals

City Blueprint of Toledo For: Survey Supplies

Clarke Mosquito Control Product For: Mosquito Control Supply

Clemons Nelson For: Legal Services

CMI (Creative Microsystems, Inc.) For: Software and Hardware Systems

Compass Minerals America For: Road Salt

D & R Demolition Corp. For: Concrete Crushing

Defiance County Landfill For: Sanitation Dumping Services/Landfill

Biosolids

Dell Marketing For: IT Hardware Systems

Dennis Panning Excavating For: Yard Waste Hauling and Disposal

Detroit Salt Company For: Road Salt

Encompass Engineers For: Electrical Engineering Services

Ermco For: Electric Transformers

Estabrook, Corp. For: Pump Supplies and Repairs
Ferguson Waterworks For: Operations Parts and Supplies
Finley Fire Equipment For: Fire Engines and Service Repairs

Fire Safety Services Inc.

For: Fire Services and Supply
Fire Service, Inc.

For: Fire Services and Supply

Fitzenrider, Inc. For: Heating and Air Conditioning Service

Work

Flex-Com For: Camera Systems

Forrest Auto Supply For: Automotive Parts & Supplies

Gerken Asphalt Paving, Inc. For: Paving Materials & Asphalt Laying

Heartland Disposal For: Sludge Removal

Henschen and Associates, Inc. For: Software and Hardware Systems

Hoff Consulting, LLC For: Consulting Services

Hydro Dyne Engineering, Inc. For: Wastewater Remanufacturing of

Screens

Jack Doheny Supplies Ohio, Inc.

J.A. Hillis Excavating, LLC

Jones & Henry Engineers, LTD

For: Wastewater Supplies
For: Excavation Services
For: Consulting Services

JT's Building Maintenance & Construction For: Various Property Maintenance and Construction

Services

K-Tech For: Beet Heet

Kalida TruckKoester Corp.Kuhlman Corp.For: Vehicle AccessoriesFor: Engineering ServicesFor: Parts and Supply

Kurtz Ace Hardware For: Supply

The Mannik and Smith Group, Inc. For: Engineering Services (Professional

Services)

Masterpiece Sign Graphics, Inc. For: Signs

Meeder Investment Management For: Investment Management Services

Meggar For: Electrical Testing Equipment

Mel Lanzer Co. For: Construction Services

Meldrum Mechanical For: Pump Supplies & Equipment Repairs

Melrose Pyrotechnics, Inc. For: Fireworks

Midwest Compost For: Digester Cleaning

Miller Brothers Construction For: Trucking, Hauling, and Excavating

Services

Morton Salt For: Road Salt

Neptune Equipment Co. (NECO) For: Meter Parts and Supplies
Newegg Business For: Computers and Supplies

North Branch Nursery For: Tree Plantings

Northwest Landscape Service For: Landscaping and Supplies, Roadside & City Owned

Property Mowing

Northwest Pools For: Pool Chemicals

NRP Midwest For: Wastewater Treatment Chemicals

Office Depot For: Office Supply
One Source Waste Solutions For: Waste Services
O'Reilly Auto Parts For: Parts & Supplies

Path Master For: Traffic Signals Supplies and Services

Paulding County Engineer's Office For: Cold Patch

Parker Hannfin Corp. For: Water Meter Analyzer

Perrysburg Pipe and Supply For: Parts and Supply

Perry Corporation For: Copier, Scanner and Printer Supplies Peterman Associates, Inc. For: Engineering Services (Professional

Services)

P&R Communications For: Radio repair and parts

Poggemeyer Design Group For: Electrical Engineering Services

Porter's BP, LLC For: Gas and Diesel Fuel

Powerhouse Supply For: Electrical Parts and Supplies
Powerline Supply Co. For: Electrical Parts and Supplies
Processing Solutions For: Water Treatment Chemicals

Reinke Ford For: Automotive Services
Reveille For: Engineering Services

RTEC Communications, Inc. For: Communication Supplies & Equipment

S & S Directional Boring For: Directional Boring

Sauber Manufacturing Co. For: Reel Trailers
Saylor Tree Service, LLC For: Tree Services

Schneider For: Software for Metering

Schweitzer Engineering For: Electrical Substation Materials

Snyder Chevrolet, Inc. For: Automotive Services

Solomon Corporation For: Transformers and Electric Supplies
Southeastern Equipment For: Operations Parts and Supplies

Spectrum Engineering Corp. For: Engineering Services (Professional

Services)

Spengler Nathanson, PLL For: Outside Counsel (Professional

Services)

Stantec Consulting Services, Inc. For: Engineering Services (Professional

Services)

Statewide Ford For: Police vehicle Stoops Freightliner For: Vehicle parts

Stuart C. Irby Co. For: Electrical Parts & Supplies

Superior Uniform Sales, Inc. For: Uniform Services

Survalent Technology For: SCADA Programming Services

Target Specialty Products For: Golf Course Chemicals

Tawa Tree Service For: Tree Services

Tawa Mulch Landscape Supply For: Landscaping Services

Terex Utilities, Inc.

For: Electric Equipment Purchases
The Accumed Group

For: Ambulance Billing Services
Toledo Edison

For: Contracted Power Services

Toledo Fence & Supply Co. For: Fencing Supplies
T & R Electric For: Transformers

Tri City Industrial Power For: Batteries & Other Power Supplies

UniFirst Corporation For: Uniforms & Supplies

URS Corporation For: Engineering Services (Professional

Services)

US Utility Contractor Co.

USALCO

For: Traffic and Electrical Services

For: Chemicals for Water Treatment

For: Chemicals for Water Treatment

Utility Services

For: NERC Compliance Services

Utility Truck Equipment For: Bucket Truck

Vermeer For: Wood Chipper/Parts

Vernon Nagel, Inc. For: Trucking, Hauling, and Excavating

Services

Viking Trucking, Inc. For: Trucking and Hauling Services

Werlor, Inc. For: Brush Grinding Services/Recycling

Services

Wesco Distribution, Inc. For: Electrical Supplies

Wigen Water Technologies For: Membrane Services, Cleaning &

Chemicals

Wood County Land Fill For: Sanitation Dumping Services

WR Meyers Co., Inc. For: Construction and Excavating Services

Wright Express FSC-WEX, Inc. For: Fuel Purchases

Zacks Recycling, LLC For: Recycling Services

Zimmerman, Jack For: Road Striping Services

ORDINANCE NO. 028-22

AN ORDINANCE ADDRESSING THE PROVISIONS OF AND AUTHORIZING THE CITY OF NAPOLEON, OHIO TO OPT OUT OF AMENDED SUBSTITUTE HOUSE BILL 172, AND REAFFIRMING THE BAN ON THE POSSESSION, SALE, AND DISCHARGING, IGNITING OR EXPLODING FIREWORKS WITHIN THE CITY OF NAPOLEON, OHIO, AS SET FORTH IN CHAPTER 1519 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO AS IT EXISTED PRIOR TO THE ENACTMENT OF AMENDED SUBSTITUTE HOUSE BILL 172; AND DECLARING AN EMERGENCY

WHEREAS, on October 27, 2021, the Ohio General Assembly passed Amended Substitute House Bill 172 (House Bill 172) concerning, among other things, the regulation, possession, discharge, ignition and exploding of fireworks in the State of Ohio; and,

WHEREAS, on November 8, 2021, Ohio Governor DeWine signed House Bill 172; and,

WHEREAS, House Bill 172 amends current Ohio Revised Code Sections 3743.45(D), (E) and 3743.451(B), effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and,

WHEREAS, House Bill 172 also purports to expressly grant municipalities the home rule authority to retain any and all municipal ordinances that regulate and/or prohibit the discharge, ignition or exploding of fireworks, and to retain all ordinances that regulate noise, disturbance of the peace, and disorderly conduct. The power to legislate fireworks restrictions, however, is granted to municipalities by the Ohio Constitution, thus House Bill 172 merely purports to grant powers previously authorized to the City of Napoleon, Ohio; and,

WHEREAS, if ordinances currently a part of the City of Napoleon Codified Ordinances relating to the above are not reaffirmed by the referenced effective date, a private cause of action is created through which the City may be liable for damages, attorney fees, and other costs; and,

WHEREAS, City Council recognizes that the City of Napoleon has home rule authority under the Ohio Constitution, also recognizing that the City needs to protect itself against potential liability; and,

WHEREAS, this Council finds that continuing the ban on the possession, sale, and discharge of consumer grade fireworks, as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon, will best protect the public's right to the quiet enjoyment of their premises; and,

WHEREAS, this Council finds that the unsafe and illegal discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in densely populated residential and business areas; and,

WHEREAS, both Fire Chief O'Brien and Police Chief Mack strongly recommend that the Council of the City of Napoleon opt out of House Bill 172 and reaffirm the existing ban on the possession, sale, and discharging, igniting or exploding fireworks set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon, Ohio; and,

WHEREAS, the Administration and Council of the City of Napoleon find that it is in the best interests of the public to continue to ban the possession, sale, and discharge, ignition and explosion of fireworks otherwise permitted in House Bill 172, as set forth in existing Chapter 1519 of the Codified Ordinances of the City of Napoleon; and,

WHEREAS, as a result, the City of Napoleon is in need of reaffirming certain Ordinances to place it in compliance with the above referenced law. Now Therefore,

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

- Section 1. That, the Council of the City of Napoleon expressly opts out of the provisions set forth in House Bill 172, and reaffirms the ban on the possession, sale, and discharging, igniting or exploding fireworks as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon. Further, Chapter 1519 of the Codified Ordinances of the City of Napoleon is reaffirmed in its entirety.
- Section 2. That, this Ordinance shall be published in accordance with applicable Ohio Law.
- 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, 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 allow for passage before the deadline; moreover, this must timely take effect to meet the intent of the law; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for passage prior to the effective date of July 1, 2022, and for further reasons as stated in the Preamble hereof.

Passed:	
	Joseph D. Bialorucki, Council President
Approved:	
TT	Jason P. Maassel, Mayor

VOTE ON PASSAGE Attest:	Yea	Nay	Abstain	
Roxanne Dietrich, Clerk of	f Council			
foregoing Ordinance No. 6 general circulation in said	028-22 was a City, on the established	duly publish ? in Chapter	ned in the North day of 103 of the Cod	pleon, do hereby certify that the hwest Signal, a newspaper of, 2022; & I further certify lified Ordinances Of Napoleon tings.
		Roxa	nne Dietrich, (Clerk of Council

RESOLUTION NO. 029-22

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY TO WIT: APPROXIMATELY 10.10 ACRES, MORE OR LESS OF REAL PROPERTY, PARCEL NO. 28-070078.0200, OWNED BY THE CITY TO THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the City, by Ordinance 34-86, passed July 21, 1986, designated the Community Improvement Corporation of Henry County, Ohio (hereinafter called "the CIC") as the agency and instrumentality of the City for the industrial, commercial, distribution and research development of the City pursuant to Chapter 1724.10 of the Ohio Revised Code; and,

WHEREAS, the City and the CIC have since entered into an amended Agreement and Plan of Industrial, Commercial, Distribution and Research Development (Amendment No. 2 dated March 21, 2011; Ordinance No. 017-11); and,

WHEREAS, pursuant to Article VIII Section 13 of the Ohio Constitution, which provides for economic development, and the Ohio Revised Code, the Agreement and Plan provides in pertinent part, that in furtherance of the Plan, the CIC [may/will] sell or lease any lands or interests in lands owned by the City determined from time to time by the Council of the City not to be required by the City for its purposes, for uses determined by the Council of the City as those that will promote the welfare of the people of the City, stabilize the economy, preserve, maintain or provide employment, and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City; moreover, that such sale or lease may be made without advertising and receipt of bids when in the best interest of the City, the City specifying the consideration of such sale or lease; and,

WHEREAS, the Agreement and Plan also provides in pertinent part, that the City may convey to the CIC lands and interest in lands owned by the City and determined by the Council of the City not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and preserve, maintain or provide additional opportunities for their gainful employment; moreover, that such sale or lease shall be made without advertising and receipt of bids when in the best interest of the City, the City determining the consideration of such sale or lease; further, if any lands or interests in lands conveyed by the City to the CIC are sold by the CIC at a price in excess of the consideration received by the City from the CIC therefore, such excess shall be paid to the City after deducting therefrom the following costs to the extent incurred by the CIC; the costs of acquisition and sale by the CIC, taxes, assessments, costs of maintenance, costs of improvements to the land by the CIC, debt service charges of the CIC attributable to such lands or interests, and a reasonable service fee determined by the CIC; and,

WHEREAS, it has been presented and requested by the Executive Director of the CIC that transfer of approximately ten and one tenths (10.10) acres of land owned by the

City to the CIC be made in order to further the Plan for Economic Development, consistent with Ohio Revised Code Section 1724.10; and,

WHEREAS, the subject property for which the CIC requests transfer ("Subject Property") is approximately ten and one tenths (10.10) acres of land, more or less, located on Independence Drive; and,

WHEREAS, the Subject Property is Parcel No. 28-070078.0200 as found in the Henry County Auditor's Office; and,

WHEREAS, the CIC agrees to hold title to and transfer the Subject Property at the appropriate time to any eventual transferee (and potentially eventually back to the City) as determined and agreed upon by simple majority vote of its Board of Trustees consistent with all laws and regulations and the aforementioned Agreement and Plan and the supplemental purchase agreement; and,

WHEREAS, the City Manager, being the official in charge of the property, has advised this Council that the Subject Property is no longer needed for a public purpose; **Now Therefore**,

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

- Section 1. That, Parcel No. 28-070078.0200, approximately ten and one tenths (10.10) acres, located in the City of Napoleon, Henry County, Ohio, is hereby determined by this Council not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and preserve, maintain or provide additional opportunities for their gainful employment.
- Section 2. That, being consistent with the City's Charter, Ordinances, Resolutions and the Agreement and Plan, as well as being consistent with the Ohio Revised Code, the parcel or parcels identified in Section 1 of this Resolution shall be transferred to the CIC of Henry County, Ohio without necessity of advertisement or receipt of bids, the same being determined by this Council as being in the best interest of the City; moreover, the City Manager is authorized to execute all agreements, deeds, and other documents required to complete said transfer(s).
- Section 3. That, Council determines that the consideration for the conveyance of the Parcel identified in Section 1 of this Resolution shall be as found in a certain real estate purchase agreement and escrow agreement between the CIC and a third party substantially in the form as currently on file in the office of the City Finance Director.
- Section 4. That, if any parcel or parcels of land as identified in Section 1 of this Resolution so conveyed by the City to the CIC is or are sold by the CIC at a price in excess of the consideration received by the City from the CIC therefore, then such excess shall be paid to the City after deducting therefrom the following costs to the extent incurred by the CIC; the costs of acquisition and sale by the CIC, taxes, assessments, costs of maintenance, costs of improvements to the land by the CIC, debt service charges of the CIC attributable to such lands or interests, and a reasonable service fee determined by the CIC.
- Section 5. That, nothing in Section 4 of this Resolution shall be construed as relieving the CIC of its obligations under the land purchase agreement.

Section 6. 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 7. 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.

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

Passed:	
	Joseph D. Bialorucki, Council President
Approved:	
	Jason P. Maassel, Mayor
VOTE ON PASSAGE Yea	_ Nay Abstain
Attest:	
Roxanne Dietrich, Clerk of Council	
foregoing Resolution No. 029-22 was duly p general circulation in said City, on the	cil for the City of Napoleon, do hereby certify that the published in the Northwest Signal, a newspaper of day of, 2022; & I further d in Chapter 103 of the Codified Ordinances Of Ohio pertaining to Public Meetings.
	Roxanne Dietrich, Clerk of Council

SAFETY AND HUMAN RESOURCES COMMITTEE

MAJORITY REPORT

The Safety and Human Resources Committee met on Monday, May 23, 2022, and made the following recommendations to Council:

- 1. to Approve the Establishment of the Temporary Position of Assistant Operations Superintendent; and,
- 2. to Approve Updating Section 197.06 Residency Requirements of the Personnel Code.

Daniel Baer, Chair
Molly Knepley, Committee Member
Dr. Dave Cordes, Committee Member



City of NAPOLEON, Ohio

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Web Page: www.napoleonohio.com

Memorandum

Mayor Jason Maassel

Members of Council
Joseph Bialorucki, President
Ross Durham, President Pro-Tem
Kenneth Haase
Molly Knepley
Lori Siclair
Daniel Baer
Dr. Dave Cordes

City Manager Joel L. Mazur

Finance Director Kevin Garringer

Law Director Billy D. Harmon To: Joel Mazur, City Manager

From: Lanie Lambert, Chad Lulfs, & Jeff Rathge

Date: May 18, 2022

Subject: Operations Superintendent Replacement

Jeff Rathge is retiring at the end of May 2023 and his last day in the office will be in April 2023. Jeff has been the Operations Superintendent for 11 years and in the department for 30 years. The amount of experience and knowledge that we will be losing when Jeff retires is huge. Chad, Jeff, and I are recommending having a replacement for the operations superintendent in the third quarter of this year and have that person train with Jeff around 6 to 8 months.

Below are a few of the tasks/duties that support the need for the extra training with Jeff:

- Coordinating spring/fall cleanup
- Hydrant flushing
- Snow removal
- EPA reporting (wastewater collection and water distribution)
- Refuse and recycling routes
- Street sweeping
- Mosquito control plan

The Assistant Superintendent starting at the beginning of October would allow that person to observe and learn fall clean up, hydrant flushing, budget preparation, snow removal, spring clean up and items that arise during that time.

Thank you

I am requesting that the residency requirement in the Personnel Code to be updated to reflect the Fire Department's current part-time workforce. The current section states that paid part-time employees of the Fire/Rescue Department are required to reside within fifteen miles of the Henry County Courthouse. I am recommending to remove that section.

The Fire Department has two different paid part-time employees.

- 1. Local Responders This class of part-time employees have to live in our district and do respond to the station for calls.
- 2. Contingent This class of part-time employees live outside of our district and do not normally respond to the station for calls. Contingent employees sign up for open 12 or 24 shifts or are assigned an every 3rd day shift.

Lanie Lambert HR Director

197.1 RESIDENCY REQUIREMENTS

- (a) Except as otherwise provided herein, all employees of the City are required to reside within Henry County, Ohio, or within an adjacent county thereto within this State.
- (b) Paid part time employees of the Fire/Rescue Department that are firefighters or emergency medical technicians or the like, or a combination thereof, and paid part-time employees of the Police Department, not to be construed as solely volunteer personnel, are required to reside within fifteen (15) miles of the Henry County Courthouse. The herein mentioned radii shall be construed as a straight line and not as driven miles. All other paid part-time employees of the City, regardless of paid part-time class, are exempt from the residency requirements of the City. Nothing herein shall be construed as to provide for grandfathering as it relates to residency should a part-time employee obtain full-time employee status; further, dual employees, meaning for the purpose of this provision, employees working in two (2) capacities of the City, one full-time and one paid part-time, shall meet the most restrictive residency requirement.
- (c) Unless otherwise exempted, any employee of the City employed after the effective date of this section shall meet residency requirements within 365 days of employment with the City, except that the City Manager, City Finance Director and City Law Director shall meet residency requirements within 180 days of employment with the City.
- (d) For purpose of continuing employment with the City, notwithstanding any other provision, policy, rule, resolution or ordinance, except the provision found in paragraph (f) hereof, full time regular employees (salary or hourly) employed by the City on or prior to April 16, 2007, regardless of probation status, shall have 180 days to meet the residency requirements of the City; moreover, full-time regular employees (salary or hourly) employed by the City after April 16, 2007, but before the effective date of this section, regardless of probation status, shall have 365 days from the effective date of this section to meet the City's established residency requirements.
- (e)(d) The appointing authority as appropriate, shall suspend from service any employee who fails to meet residency requirements as required by this section, until such time as the employee has met City residency requirements. In the event the suspension exceeds two (2) weeks in duration, the employee may be dismissed from the City service.
- (f)(e) Unless otherwise prohibited by law, this section shall not be construed as to limit the enforceability of any residency provision found in a collective bargaining agreement between the City and a collective bargaining unit; further, nothing herein shall be construed as to limit the ability of an appointing authority of the City to require residency of its volunteers.

(Ord. 095-07. Passed 11-19-07.)



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 Roxanne Dietrich, Clerk of Council

Date: June 1, 2022

Subject: Ritter Park Area Path Project (PID 109008) ~

Recommendation of Award

On Wednesday, June 1, 2022, bids were opened and read aloud for the above referenced project. One bid was submitted and read as follows:

BidderBase BidBase Bid with AlternatesVernon Nagel, Inc.\$971,017.00\$979,613.90

The Engineer's Estimate for this project is \$921,685.50 for the Base Bid and \$927,764.50 including the Alternates. This project consists of constructing a multi-use path on Jahns Road from the Corporation Limit (railroad) to W. Riverview Avenue; a multi-use path down the embankment from W. Riverview Avenue into Ritter Park; and a multi-use path along the southerly side of W. Riverview Avenue from Ritter Park to Front Street. The Alternates includes the placement of concrete instead of asphalt on the southerly side of W. Riverview Avenue from Ritter Park to Front Street. I believe that this will allow for less long-term maintenance.

This project is being partially funded through a Transportation Alternative Project (TAP) Grant (\$800,000.00) through the Ohio Department of Transportation (O.D.O.T.). O.D.O.T. requires a Resolution for the award of this project. I request that Council pass the prepared Resolution to allow us to award this project to Vernon Nagel, Inc. in the amount of \$979,613.90 for the Base Bid with Alternates. If you have any questions or require additional information, please contact me at your convenience.

CEL