DECEMBER 2023

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
	7:00pm City Council Meeting					
10		8:00am Records Commission 5:00pm Planning	13	14	15	16
		Commission				
	6:00pm Parks and Rec Committee 7:00pm City Council Meeting		20	21	22	23
24			4:30pm Civil Service Comm.	28	29	30
	Closed Christmas	Closed Christmas	6:30pm Parks and Rec Board 6:30pm Finance and			
31						



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

Memorandum

To: City Council, Mayor, City Manager, City Finance

Director, City Law Director, Department

Supervisors, News-media

From: Marrisa Flogaus, Clerk of Council

Date: December 8, 2023

Subject: Electric Committee Meeting Canceled

The regularly scheduled meeting of the Electric Committee for Monday, December 11, 2023 at 6:30 pm has been CANCELED due to lack of agenda items.



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

Memorandum

To: Board of Public Affairs, City Council, Mayor, City

Manager, City Finance Director, City Law Director,

Department Supervisors, News-media

From: Marrisa Flogaus, Clerk of Council

Date: December 8, 2023

Subject: Board of Public Affairs Meeting Canceled

The regularly scheduled meeting of the Board of Public Affairs for Monday, December 11, 2023 at 6:30 pm has been CANCELED due to lack of agenda items.



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

Memorandum

To: Water, Sewer, Refuse, Recycling & Litter Committee,

City Council, Mayor, City Manager, City Finance Director, Law Director, Department Supervisors, News-media

From: Marrisa Flogaus, Clerk

Date: December 8, 2023

Subject: Water, Sewer, Refuse, Recycling & Litter

Committee Meeting Canceled

The regularly scheduled meeting of the Water, Sewer, Refuse, Recycling and Litter Committee for Monday, December 11, 2023 at 7:00 pm has been CANCELED due to lack of agenda items.



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

Memorandum

To: City Council, Mayor, City Manager, City Finance

Director, Law Director, Department Supervisors,

News-media

From: Marrisa Flogaus, Clerk

Date: December 8, 2023

Subject: Municipal Properties, Building, Land Use and

Economic Development Committee – Cancellation

The regularly scheduled meeting of the Municipal Properties, Building, Land Use and Economic Development Committee for Monday, December 11, 2023 at 7:30 pm has been CANCELED due to lack of agenda items.

RECORDS COMMISSION

Special Meeting Agenda Tuesday December 12, 2023 at 8:00 am

Location ~ Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes June 13, 2023 (In the absence of any objections or corrections, the Minutes shall stand approved).
- 2) Review of Records Retention Forms
 - a. Payroll
 - b. Probation
- 3) Any other matters to come before the Commission.
- 4) Adjournment.

Marrisa Flogaus, Clerk of Council

RECORDS COMMISSION

MEETING MINUTES
Tuesday, June 13, 2023 at 8:00 am

PRESENT

Committee Members Jason Maassel-Chairman, Kevin Garringer, Greg Heath,

J. Andrew Small

Recorder

Others Brittany Roof-HR Director

ABSENT

Committee Member Billy Harmon

CALL TO ORDER

The Records Commission meeting was called to order by Chairman Maassel at 8:01 am.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the December 13, 2022 Records Commission meeting were approved as presented.

REVIEW OF RECORDS RETENTION SCHEDULES

RC-2 Utilities Department

Garringer stated I'm not going to go by them verbatim, but as you see on the list the only changes were that we moved a lot from paper/cd to electronic for the media type. I think it just goes with the time and allows it to be kept in the cloud. Maassel asked if that information's backed up somewhere? Garringer replied yes, it's backed up by dual servers according to the IT Department.

Motion: Heath Second: Maassel

to accept the changes of the RC-2 Utilities Department

Roll call vote on the above motion: Yea-Heath, Garringer, Maassel, Small

Yea-4, Nay-0. Motion Approved

RC-2 Finance Department

Garrigner stated I would present these without comments other than the changes would be to electric media rather than paper. Except some of the payroll items we will keep as paper for example, the W-2's, W-3's, timesheets, timecards, sick leave and vacation sheets. Those are required to be kept forever and a day. Small replied the retention is only one year. Garrigner stated you are correct. I stand corrected the W-2's and W-3's are 7 years. Other electronic things are permanent. Roof stated there were some other items that were updated based on the Ohio Commissions. Heath asked if timesheets are now electronic? Garrigner replied not all of them.

Motion: Garrigner Second: Heath

to accept the changes of the RC-2 Finance Department

Roll call vote on the above motion: Yea-Heath, Garringer, Maassel, Small Nay-

Yea-4, Nay-0. Motion Approved

RC-2 Fire Department

Roof stated I worked with Bowen last week going through his previous RC-2 that was updated in 2007. The previous Chief was trying to update it, but it was never sent through. There were some items that needed to be added in and we made a lot of it multimedia due to 90% of what they do through software system with ESO. Maassel asked if the FIR-25 Equipment Maintenance Testing Records go with the equipment when we sell it? Roof replied it should. Garrigner replied I would say it typically doesn't when we sell equipment because most of our equipment is sold off GOV Deals as is. Small stated then the record gets destroyed. Garringer stated I guess if the buyer were to request them we would include it, but we've never had that happen.

Motion: Heath Second: Garrigner to accept the changes of the RC-2 Fire Department

Roll call vote on the above motion: Yea-Heath, Garringer, Maassel, Small Nay-

Yea-4, Nay-0. Motion Approved

ANY OTHER MATTERS TO COME BEFORE THE COMMISSION

Roof stated I reached out to the Ohio Commission in regards to the layout of how were supposed to get something valued for the historical side. They told me it was based on if it's something we see that it might hold historical value to the City of Napoleon or the County itself then we can utilize the historical value that way or we could pass it on or we could purge the item depending on the value. Then I dug a little deeper. On the RC-2's there's a box that has to be checked by the commission if they require anything to be sent back to them in order to be up for destruction. I think previously it was just assumed we send everything regardless if the box is checked or not. They said we don't have to send anything unless the second box is checked and it's never says the RC-3 required by the LGRP, so if that box isn't selected we don't have to fill out an RC-3 and send it in. We're able to destroy it on our time. We just need to keep a record of what we're destroying and when we destroy it. Heath asked what LGRP is? Roof replied it's the records commission. For example on mine I have one box that is under correspondence that is subjective and substantive. I have to send that one in to get approved. All of these new ones that are going to them will have a mark in the box if they need to approve it before we destroy it. Small stated LGRP stands for Local Government Records Program.

ADJOURNMENT

Motion: Garringer Second: Heath to adjourn the Records Commission meeting at 8:11 am.

Roll call vote on the above motion: Yea-Heath, Garringer, Maassel, Small Nay-

Yea-4, Nay-0. Motion Approved

Approved

Jason Maassel - Chair



Local Government Records Program Ohio History Connection Columbus, Ohio 43211-2474 ocalrecs@bhiohistory.org www.ohiohistory.org/lgr State Archives of Ohio 800 E 17th Avenue 614.297.2553

For State Archives - LGRP Use Only

Date Received

Date Reviewed:

Items requested for transfer:

2

YES

If YES, attach copy of transfer form

CERTIFICATE OF RECORDS DISPOSAL (RC-3) - Part 1

See instructions before completing this form. Must be submitted with PART 2

PAYROLL	(Location of Records)		(Date Mailed to LGRP)
419-599-1235	(Telephone Number)	HENRY	(County)
KEVIN GARRINGER	Contact Person)	43545	(Zip Code)
	(Unit)	30X 151 NAPOLEON	(City)
CITY OF NAPOLEON	(Local Government Entity)	255 W. RIVERVIEW AVE., P.O. BOX 151 NAPOLEON	(Address)

hereby certify that the records listed on this RC-3 and attachments are being disposed of according to the time periods stated on the approved Records Retention Schedules (RC-2) listed below. No record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. In negatives will only be used to create use copies. It is a responsibility of the local government to ensure the preservation and accessibility of any records addition, microfilm created in place of any original record listed on this RC-3 will be stored according to ANSI Standards and all microfilm master retained in electronic format.

(Telephone number)

(419)599-1235

Signature of Responsible Official)

To have this form returned to the Records Commission electronically, include an email address:

It is strongly recommended that the Records Commission retain a permanent copy of this form. Please Note: The State Archives retains RC-3 forms for seven years.





CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 2 See instructions before completing this form. Must be submitted with Part 1

(Political Subdivision Name)	Name)				(Duit)	(i		
(1) Records Series Title	Authori	(2) Authorization for Disposal	(3) Media Type To be destroyed	(4) Media Type To be retained	(5) Inclusive Dates of Records	ates of ds	(6) Proposed date of destruction	(7) For LGRP use
	Schedule	Date the RC-2 was approved by the Records Commission		(if any)	From	OT.	(15 business days from receipt by LGRP)	
SWIMMING POOL	FIN-27		PAPER		2021			
EMS BILLING REPORTS	FIN - 84		PAPER	ELECTRONIC	2017-2019			
DEPOSIT TICKETS	FIN – 12		PAPER		2017-2019			
TIME CARDS	FIN - 01		PAPER		2020-2021			
TIME SHEETS	FIN - 01A		PAPER	ELECTRONIC	2020-2021			
GARNISHMENT ORDERS	FIN - 175		PAPER		2021			
PAYROLL LEDGER	FIN - 05		PAPER	ELECTRONIC	2017-2019			
PAYROLL RUNS & TRAIL BALANCES	FIN – 06		PAPER	ELECTRONIC	2014-2019.			



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

800 E. 17th Avenue Columbus, Ohio 43211-2497

For State Archives - LGRP Use Only

Date Received:

Date Reviewed:

Items requested for transfer:

9

YES

If YES, attach copy of transfer form

CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 1

See instructions before completing this form. Must be submitted with PART 2

City of Napoleon		Kevin Garringer	419-599-1235	Operations Building
(Napoleon Municipal Court)			(419-592-2851)	(Probation Department)
255 W Riverview Ave	Napoleon	43545	Henry	
(1819 Oakwood Ave)	(Napoleon)	(43545)	(Henry)	(date mailed to LGRP)

microfilm created in place of any original record listed on this RC-3 will be stored according to ANSI Standards and all microfilm master negatives will only be used Retention Schedules (RC-2) listed below. No record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. In addition, hereby certify that the records listed on this RC-3 and attachments are being disposed of according to the time periods stated on the approved Records to create use copies. It is a responsibility of the local government to ensure the preservation and accessibility of any records retained in electronic format

Signature of responsible official)

(Title)

voblitáen (

(e)

14106 (419)592-2% (Telephone number)

To have this form returned to the Records Commission electronically, include an email address: MNOAKL@ NOOOLIBYLOKUS . PRYA

It is strongly recommended that the Records Commission retain a permanent copy of this form. Please Note: The State Archives retains RC-3 forms for seven years.



Ohio Historical Society State Archives of Ohio Local Government Records Program

800 E. 17th Avenue Columbus, Ohio 43211-2497

CERTIFICATE OF RECORDS DISPOSAL (RC-3) – Part 2 See instructions before completing this form. Must be submitted with PART 1.

(political subdivision name)

(nuit)

For OHS- LGRP use								
(6) Proposed date of destruction	(15 business days from receipt by OHS-LGRP)							
(5) Inclusive Dates of Records	From To	FY 2017	FY 2018	FY 2019	FY 2017	FY 2018	FY 2019	
(4) Media Type To be	retained (if any)	electronic	electronic	electronic	electronic	electronic	electronic	
(3) Media Type To be	destroyed	paper	paper	paper	paper	paper	paper	
(2) Authorization for Disposal	Date the RC-2 was approved by the Records Commissi on							
Authori	Sched ule Numbe r	Prb-01	Prb-01	Prb-01	Prb-02	Prb-02	Prb-02	
(1) Records Series Titte		Municipal Probation Department – Probationer Closed Gase Records	Municipal Probation Department – Probationer Closed Case Records	Municipal Probation Department – Probationer Closed Case Record	Pre-Sentence Investigation Reports	Pre-Sentence Investigation Reports	Pre-Sentence Investigation Reports	



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

Memorandum

To: Board of Zoning Appeals, City Council, Mayor, City

Manager, City Finance Director, Law Director,

Department Supervisors, News-media

From: Marrisa Flogaus, Clerk

Date: December 8, 2023

Subject: Board of Zoning Appeals – Cancellation

The regularly scheduled meeting of the Board of Zoning Appeals set for Tuesday, December 12, 2023 at 4:30 pm has been CANCELED due to lack of agenda items.

PLANNING COMMISSION MEETING AGENDA

Tuesday, December 12, 2023 at 5:00 pm

PC-23-05- Subdivision of Re-plat- 690 E. Riverview Ave. Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Call to Order
- 2) Approval of Minutes August 15, 2023 (in the absence of any objections or corrections, the minutes shall stand approved)
- 3) New Business

PC 23-05 – An application for a public hearing has been filed by Marvin Drummond of 690 E. Riverview Ave. The applicant is requesting the approval of a subdivision of a Re-Plat of the original Plat of The City of Napoleon, State of Ohio. Parcel Number: 28070020.00, 0.519 Acres Situated in the State of Ohio, County of Henry. The request is pursuant to Chapter 1141 of the Codified ordinance of the City of Napoleon, Ohio. The property is located in a C-4 Planned Commercial District.

- 4) Closing Remark
- 5) Adjournment.

Marrisa Flogaus-Clerk

PLANNING COMMISSION SPECIAL MEETING MINUTES

Tuesday, August 15, 2023 at 5:00 pm

PC-23-04 - Rezone Parcels at 1431 Oakwood Avenue and 181 Oakwood Avenue

PRESENT:

Commission Members Tim Barry-Chair, Suzette Gerken, Larry Vocke, Jason Maassel
City Staff Kevin Schultheis-Zoning Administrator/Code Enforcement Officer

Others News-Media Recorder Marrisa Flogaus

ABSENT

Commission Members Marvin Barlow

CALL TO ORDER

Barry, Chairman of the Planning Commission called the meeting to order at 5:00 pm with a roll call noting a quorum was present.

APPROVAL OF MINUTES

In the absence of any objections or corrections, the May 09, 2023 Planning Commission meeting minutes were approved as presented.

NEW BUSINESS

PC-23-04 - Rezone Parcels at 1431 Oakwood Avenue and 181 Oakwood Avenue

Barry read the background on PC 23-04. An application for Public Hearing has been filed by the City of Napoleon requesting to change the Zoning of Parcel Number 41.1293940140 (1431 Oakwood Avenue) owned by Jeff Mires, and Parcel Numbers 41.1294230020 and 41.1293950020 (181 Oakwood Avenue) owned by Keith Fruchey. The applicant is requesting to change the zoning from the current zone of C-3 Local Commercial District to R-3 Moderate Density Residential District. The request is pursuant to Codified Ordinance 159.03.

RESEARCH AND FINDINGS

Schultheis presented his research and findings. Applications for an amendment to this Planning and Zoning Code, including the Zone Map, may be initiated by any property owner or agent of any property owner, by the City administration, by the Planning Commission, or by the Council, by filing an application for amendment with the Zoning Administrator. The Zoning Administrator shall prepare a form and instructions as to what information is necessary for an application for amendment. The R-3 Moderate-Density Residential Districts within the existing uses, suitability and the trends are all R-3 Moderate-Density District within the Zoning area. The C-3 Local Commercial District was used for the former Cattle Stockade that no longer exists at the site.

Recommended Conditions: The Planning Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the petitioner or applicant, except that no finding is required that "the amendment is not solely for the interest of the petitioner or applicant" when an application is initiated by the City Administration, by the Planning Commission, or by the Council. When the petition for an amendment to the Zone Map is made by a property owner or agent of a property owner, the Planning Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the petitioner.

DISCUSSION

Schultheis advised in this case the City is requesting that the property be changed from a C-3 to an R-3. The reason for that is the commercial zone is very strict for what can be placed there. The duplexes on the corner would fit under a R-3. The small piece of property would be considered a single family application. The other location would be for what it was sold for either a single family or a duplex. I did receive some question from Jim Hoops and one of the nearby neighbors regarding the small piece of property. There is a hill there that hides the apartments and they were under the impression it was built for that reason. Mr. Fruchey had made some statements since we're going to change this to an R-3 he could put in his single family or a duplex. He doesn't have enough furnish for a duplex, so he could only put a single family in. When it comes around I'll make sure that everything's clear on what he needs to do because he made a statement back in 2003 that he would be equal value to the Wisnewski house. Barry asked if the 65 foot of road frontage is the same as the complex next to it? With the setbacks we're saying we wouldn't let him squeeze another one in there? Schultheis replied we wouldn't let him fit in another duplex because it doesn't fit within the R-3. Only a single family can go in there because of the width of the frontage. Barry stated he must have got a variance on the other ones. Schultheis replied yes, it was taken to the Board of Zoning Appeals. Barry asked about the comment from the other neighbor? Schultheis replied they had the same concern as Jim Hoops. They would really like to see the hill stay, but they know if Mr. Fruchey wants to build a single family he has to build it to equal value of the Wisnewski.

Motion: Vocke Second: Gerken to approve the Rezone Parcels at 1431 Oakwood Avenue and 181 Oakwood Avenue

Roll call vote on the above motion: Yea- Maassel, Gerken, Vocke, Barry

Nay-

Yea-4, Nay-0. Motion Passed.

ADJOURNMENT

Motion: Gerken Second: Vocke

to adjourn the Planning Commission meeting at 5:08pm

Roll call vote on the above motion:

Yea- Maassel, Gerken, Vocke, Barry

Nay-

Yea-4, Nay-0. Motion Passed.

Approved	
	Tim Barry - Planning Commission Chair



Kevin Schultheis, Zoning Administrator Code Enforcement

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

PC-23-05 Subdivision in City

For a Recommended Re-Plat Approval of 690 E. Riverview Ave. Owned by Marvin Drummond. Location: Re-Plat of the Original Plat of City of Napoleon, and State of Ohio. Parcel Number: 28-070020.0000 Acres Situated in the State of Ohio, County of Henry, City of Napoleon, a portion of the SW ¼ of section7, Township of Harrison, Township 5 North, range 7 East, first principal meridian.

Memorandum

To: Members if the City Planning Commission

From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

Subject: Subdivision of plat in the City

Meeting Date: December 12, 2023 @ 5:00 pm

Hearing #: PC-23-05

Background:

An application for a public hearing has been filed by Marvin Drummond of 690 E. Riverview Ave. The applicant is requesting the approval of a subdivision of a Re-Plat of the Original Plat of The City of Napoleon, State of Ohio. Parcel Number: 28-070020.00, 0.519 Acres Situated in the State of Ohio, County of Henry. The request is pursuant to Chapter 1141 of the Codified ordinance of the City of Napoleon, Ohio. The property is located in a C-4 Planned Commercial District.

Research and Findings:

- 1. A Subdivision in the City Permit is for any planned development to be located in the C-4 Planned Commercial District as per 1145.01(a) table of permissible uses.
- 2. This Property to be separated has an existing residential home located within it boundaries, which is in a nonconforming status per the City of Napoleon Zoning codes. The property owner is requesting the separation of the property and a special use permit to be attached the home for future use as a residential unit within the C-4 Planned Commercial District. The home was built prior to the 2010 zoning changes. The proposed use is in fact a use subject to the issuance of a conditional use permit as established under the provisions of this Planning and Zoning Code, and that the use is not otherwise expressly prohibited by this Planning and Zoning Code. The use will be harmonious with and in accordance with the general objectives, or with any specific objective of the City's Master Plan and this Planning and Zoning Code. The use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area.

The use will not be hazardous or disturbing to existing or future neighboring uses. The use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use will be able to provide adequately any such services. The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The use will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes or odors; and, The use will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Conditions: The Planning Commission may recommend such conditions or restrictions on the construction, location, use, and operation of a conditional use as shall be deemed necessary to adequately address the general objectives of the Master Plan and this Planning and Zoning Code after considering those things, as applicable, as listed in subsection (e).

1129.01 PURPOSE AND ADMINISTRATION NONCONFORMING PROPERTY

(a) The purpose of this chapter is to recognize the existence of uses, buildings, lots, and structures that lawfully existed at the time of this Planning and Zoning Code enactment, for amendments thereto, but which now does not conform to one or more of the regulations contained in this Planning and Zoning Code. Such nonconforming status shall be permitted to continue only in conformance with this chapter. The provisions are intended to encourage greater compliance with this Planning and Zoning Code in the short term and eliminate nonconforming uses in the long term.

Recommended Conditions:

1. All revisions made to plans by the surveyor of the project must be reviewed by the City Engineer, Chad Lulfs prior to approval by the Board of Planning Commission and Zoning Administrator, Kevin Schultheis. All recommended reviews have been done and are approved.

Application for Public HearingCity of Napoleon, Ohio

I/We hereby request a public hearing to consider the following:

<u>X</u>	Anning Commission (MZON 100.1700.46690) Conditional Use \$125.00 Amendment \$125.00 Subdivision in City \$75.00 + \$5.00 each, aft Preliminary Plat of Deve \$125.00 Alley Vacation \$25.00 + publication cos	MZON 100 Certifi \$25.00 er two lopment	on Commission 0.1700.46690) cate of Appropriateness	Board of Zoning Appeals (MZON 100.1700.46690) Certificate of Zoning \$25.00 Re-Zoning \$125.00 Variance \$125.00 Administrative Appeal \$50.00
Address of proj	perty: <u>690 Fast</u>	Riversie	w lop. Oh.	
Description of	request:	House +	your rest st	Property
OWNER(S) NA	~		- W. 41271	
ADDRESS- CI	County RdO TY, STATE, ZIP COUNTY SER	Napoleon)	- Cu 138 48	
***Public hea	arings are held on the se r thirty (30) days before nust accompany this appl	the public hea	ring date. All plans, plans	tion must be filed with the Zonin ats, deeds and other requested luled. ***
APPLICANT N	MENT. Number Num	R AN AUTHOR	ADDRESS Lap. Ch 4 CITY STATE, ZIP	EVIDENCED BY LETTER A 243
Hearing #:	Hearin	g Date:	PHONE Zoning Di	strict:
Offi Bato	ce Use Only	Check #	Da	e



