

# March 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	1	2
3	4 7:00pm City Council	5	6	7	8	9
10	11 6:30pm BOPA 6:30pm Electric Com 7:00pm Water/Sewer 7:30pm Muni Prop.	12 6:30 pm- Charter Review	13	14	15	16
17	18 6:00pm Parks and Rec Commission 6:00 Tree Commission 7:00pm City Council	19	20	21	22	23
24	25 6:30pm Finance and Budget 7:30pm Safety and Human Resources	26 4:30pm Civil Service	27 6:30pm Parks and Rec Board	28	29 <b>Good Friday City Offices Closed</b>	30
31	1	2	3	4	5	6



# City of Napoleon, Ohio

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## Memorandum

**To:** City Council, Mayor, City Manager, City Finance Director, Law Director, Department Heads, News-media  
**From:** Amanda Griffith, Clerk  
**Date:** March 1, 2024  
**Subject:** Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, March 4, 2024, at 6:00 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

**CITY COUNCIL**

MEETING AGENDA

**Monday, March 4, 2024, 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. HOPE Services (Henry County Board of Developmental Disabilities) presentation of a Proclamation declaring March as Developmental Disabilities Awareness Month**
- E. Henry County Historical Society Presentation on the America250 celebration planning and supporting a Resolution of the Ohio Commission for the United States Semiquincentennial**
- F. Approval of Minutes** (in the absence of any objections or corrections, the minutes shall stand approved) February 19, 2024, Regular Council Meeting Minutes
- G. Citizen Communication**
- H. Reports from Council Committees**
  - 1. The Finance and Budget Committee did not meet on February 26, 2024, due to lack of agenda items.
  - 2. The Safety and Human Resources Committee met on February 26, 2024, and;
    - a. Accepted the rates for Henry County South Joint Ambulance District, Freedom Township, Napoleon Township, Harrison Township, and the Village of Florida.
  - 3. The Technology and Communications Committee did not meet earlier tonight due to lack of agenda items.
- I. Reports from Other Committees, Commissions and Boards** (*Informational Only-Not Read*)
  - 1. The Civil Service Committee met on February 27, 2024, and;
    - a. Approved applicants for the position of Police Officer (Patrolman Grade)
    - b. Administered the Police Officer (Patrolman Grade) physical Agility Test
    - c. Certified the list for the position of Police Officer (Patrolman Grade)
  - 2. The Board of Zoning Appeals met on February 27, 2024, and;
    - a. Organized the Board-welcome new members/restructure
    - b. Approved BZA 24-01- Variance for Commercial Use at 1600 Glenwood Ave.
    - c. Approved BZA 24-02- Variance for an accessory building size and height at 230 Glenwood Ave.
  - 3. The Parks and Rec Board did not meet on February 28, 2024, due to lack of agenda items.
- J. Introduction of New Ordinances and Resolutions- None**
- K. Second Reading of Ordinances and Resolutions**
  - 1. **Resolution No. 004-24**, A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing an AMI system and all necessary appurtenances for the City of Napoleon Electric Department, and to award said purchase to Wesco-Annixter; and declaring an Emergency
- L. Third Reading of Ordinances and Resolutions**
  - 1. **Ordinance No. 003-24**, An Ordinance amending Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service, also amending Ordinance No.(s) 082-04 and 062-18, rules for disposal at the city's yard waste collection site

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

1. Discussion/Action: To accept the rates for Henry County South Joint Ambulance District, Freedom Township, Napoleon Township, Harrison Township, and the Village of Florida. (direct the Law Director to draft legislation)
2. Discussion/Action: To accept \$1,400.00 for the State Fire Marshall's Training Reimbursement Grant
3. Discussion/Action: To appoint two representatives to the Tax Incentive Review Council (TIRC)
4. Discussion/Action: To award 2024 Sanitary Sewer Flow Monitoring Update to Stantec (direct the Law Director to draft legislation)

**N. Executive Session (as needed)**

**O. Approve Payments of Bills** (In the absence of any objections or corrections, the payment of shall stand approved.)

**P. Adjournment**

  
Amanda Griffith - Clerk

**A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL**

- 1. Technology & Communication Committee (1<sup>st</sup> Monday)**  
*(Next Regular Meeting: March 4, 2024 @6:15 pm)*
- 2. Electric Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 11, 2024 @6:30 pm)*
  - a. Review of Power Supply Cost Adjustment Factor for March 2024
  - b. Electric Department Report
  - c. Review of Solar Rates
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 11, 2024 @7:00 pm)*
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 11, 2024 @7:30 pm)*
- 5. Parks & Recreation Committee (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 18, 2024 @6:00 pm)*
- 6. Finance & Budget Committee (4<sup>th</sup> Monday)**  
*(Next Regular Meeting: Monday, March 25, 2024 @6:30 pm)*
- 7. Safety & Human Resources Committee (4<sup>th</sup> Monday)**  
*(Next Regular Meeting: Monday, March 25, 2024 @7:30 pm)*
- 8. Personnel Committee (as needed)**

**B. Items Referred or Pending in Other City Committees, Commissions & Boards**

- 1. Board of Public Affairs (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 11, 2024 @6:30 pm)*
  - a. Review of Power Supply Cost Adjustment Factor for March 2024
  - b. Electric Department Report
- 2. Board of Zoning Appeals (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, March 12, 2024 @4:30 pm)*
- 3. Planning Commission (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, March 12, 2024 @5:00 pm)*
- 4. Tree Commission (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday, March 18, 2024 @6:00 pm)*
- 5. Civil Service Commission (4<sup>th</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, March 26, 2024 @4:30 pm)*
- 6. Parks & Recreation Board (Last Wednesday)**  
*(Next Regular Meeting: Wed., March 27, 2024 @6:30 pm)*
- 7. Privacy Committee (2<sup>nd</sup> Tuesday in May & November)**  
*(Next Regular Meeting: Tuesday, May 9, 2024 @10:30 am)*
- 8. Records Commission (2<sup>nd</sup> Tuesday in June & December)**  
*(Next Regular Meeting: Tuesday, June 11, 2024 @4:00pm)*
- 9. Housing Council (1<sup>st</sup> Monday after the TIRC meeting)**
- 10. Health Care Cost Committee (as needed)**
- 11. Preservation Commission (as needed)**
- 12. Napoleon Infrastructure/Economic Development Fund Review Committee (NIEDF) (as needed)**
- 13. Tax Incentive Review Council**
- 14. Volunteer Firefighters' Dependents Fund Board (as needed)**
- 15. Volunteer Peace Officers' Dependents Fund Board (as needed)**
- 16. Lodge Tax Advisory & Control Board (as needed)**
- 17. Board of Building Appeals (as needed)**
- 18. ADA Compliance Board (as needed)**

**A RESOLUTION OF THE CITY OF NAPOLEON OF HENRY COUNTY, COMMONWEALTH  
OF OHIO, SUPPORTING THE OHIO COMMISSION FOR THE UNITED STATES  
SEMIQUINCENTENNIAL (AMERICA250-OH)**

**WHEREAS**, the Ohio legislature and the Governor created AMERICA250-OH in 2018 to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the United States and Ohio's integral role in that event and the role of its people on the nation's past, present and future; and

**WHEREAS**, AMERICA250-OH hopes to engage ALL Ohioans and ALL 88 counties through their many signature and officially recognized programs, projects and events over the next several years by inspiring future leaders and celebrating all Ohioans contributions to the nation over the last 250 years; and

**WHEREAS**, by adoption of AMERICA250-OH' s four pillars of EPIC, we hope to educate, preserve, innovate, and celebrate.

**NOW, THEREFORE, BE IT RESOLVED, AND IT HEREBY RESOLVED**, that the City of Napoleon of Henry County, Ohio hereby endorses AMERICA250-OH and their mission to educate, preserve, innovate and celebrate EVERY Ohioan in EVERY county; and

**IT IS FURTHER RESOLVED** that a copy of this resolution be sent to the Henry County legislative delegation and AMERICA250-OH Commission.

ADOPTED by the City of Napoleon, of the County of Henry, the Commonwealth of Ohio, this

\_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*City of Napoleon, Ohio*  
**CITY COUNCIL MEETING MINUTES**  
Monday, February 19, 2024, at 7:00 pm

**PRESENT**

Council Members	Ross Durham - Council President, Brittany Schwab- Council President Pro-Tem, Ken Haase, Dr. David Cordes, Robert L. Weitzel, Tom Weaver, Jordan McBride
Mayor	Joe Bialorucki
City Manager	J. Andrew Small
Finance Director	Kevin Garringer
Law Director	Billy Harmon
City Staff	Brittany Roof- Human Resource Director Marrisa Flogaus-Executive Assistant Justin Ruffer- Assistant Police Chief
Others	News- Media Mark Ruskey- Candidate for Henry County Sheriff
Clerk of Council	Amanda Griffith
<b>ABSENT</b>	None

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**CALL TO ORDER**

Council President Durham 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 February 5, 2024, Regular Council meeting are approved as presented.

**CITIZEN COMMUNICATION**

Mark Ruskey- Introduced himself. I am running for Henry County Sheriff. I started in public safety back in 2005. I started with fire and EMS and started with the police academy the same year. I spent 2007 to 2020 at the sheriff’s office. I oversaw road patrol, scheduling, and some other roles at the sheriff’s office. Since that time, in the last few years, I spent quite a bit of time doing some training with law enforcement. I’ve had the ability to travel and go to some conferences across the U.S. in different states. I’m there to train but honestly quite a bit from these people I’ve learned, and it’s been pretty incredible to learn from these people; pretty insightful to be in other places and to see what practices they’re implementing and see what issues they’re also facing. I was in Texas last year, contrary to the news, we do have a border problem, and the law enforcement there is very frustrated. They have their hands full and it’s working its way our way. Also, in 2022 into 2023, I stepped in as Deshler police chief and over all of the police department there. I brought on some new staff; I overhauled their policies and procedures and just did a lot of updates for them. Bialorucki- Can you elaborate a little bit on some of the training specifically that you do? Ruskey- Yeah, it's kind of mix of human factors training, tactical training, de-escalation training, close-quarter encounter type of training where you’re teaching officers on how to interact safely with people and to not let their guard down and then obviously it goes into the various forms of defensive tactics plus weapon encounters just to kind of bridge the gap on where we’re missing out on a lot of stuff; things that go south for cops pretty quickly. McBride- Why sheriff and why Henry County? Ruskey- Born

and raised here, I live here. Part of running for sheriff is you must live in the county that you're running for at least in Ohio and having worked at the sheriff's office. My goal is to update a lot of things at the sheriff's office, kind of bridge and repair a lot of gaps in communication and a lot of relationships throughout the county. There are things that are good but there are some areas that have expressed that they feel are pretty underserved by the sheriff's office and I'm hoping to kind of write the ship in that regard.

## **REPORTS FROM COUNCIL COMMITTEES**

The Electric Committee did not meet on February 12th due to lack of agenda items.

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on February 12<sup>th</sup> due to lack of agenda items.

The Municipal Properties, Building, Land Use and ED Committee did not meet on February 12th due to lack of agenda items.

The Parks and Recreation Committee did not meet earlier tonight due to lack of agenda items.

## **INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS**

### **Resolution No. 004-24-AMI System Purchase**

Council President Durham read by title Resolution No. 004-24, authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing an AMI system and all necessary appurtenances for the City of Napoleon Ohio Electric Department, and to award said purchase to Wesco-Annixter; and declaring an Emergency.

Motion: Haase      Second: Weitzel  
to approve First Read of Resolution No. 004-24.

Small- As I described at the last meeting, we budgeted one million eight thousand dollars for this AMI system. The contract price with Wesco will be \$790,894.00. This system really piggy backs off of our existing system which was also a Wesco System that we purchased twenty-five years ago which was an AMR System, Automatic Meter Reading. Wesco is the only one that has contracts with both Neptune and Itron; Neptune are the water meters, Itron are the electric meters. They're the only ones that have contracts to allow for this system to basically seamlessly read those meters. Now there will have to be approximately 1,800 of the electric meters replaced and then they act as kind of a hub that helps read the other meters in the area. As I mentioned the last time, there's two other communities that I've gotten some really positive feedback on; one is Deshler, Kurk Behrman could not say enough about the system, and the other one was Wapakoneta and as I've stated the last meeting, we had just gone down and visited with them and they too were very positive about it. They've had their system since 2018 and really had no issues whatsoever. I ask that council approve this, and we move forward with getting into the AMI business. Durham- Andy, is there any plans to add water to this down the road? Small- Water is part of this. Electric and water are both part of this. That was one of the drawbacks with the system that Kevin and I looked at a year ago with AMP. They had that GRIP Grant, and they were offering a system that was much, much higher priced and it was only electric. We could have added water to that, but it would've literally been some time down the road because the grant was for electric meters only.

Bialorucki- How long of a project will this be after it gets approved? Small- It's kind of up in the air. Obviously by this fall we would like to have it installed completely but it's really going depend on what other kinds of issues our electric department runs into because they will be doing the installation. Wesco will be providing the system and the guidance and then our crews will actually do the installation. Schwab-



Do we envision that \$50,000 is going to be it or after we start installing are they going to come back and say whoop, we're going to need more money for this and this and this? Small- No, this is the package. There's an annual subscription fee that we pay for support but over and above that, this is the package. Both Deshler and Wapakoneta both said that they've been great to deal with and never had any issues. It's really very positive. Weaver- Andy, the 1,800 meters that would need replaced, that cost is all included and that's our labor included, is that City of Napoleon installed? Small- City of Napoleon would do the installation, there are no labor costs included in that \$790,894 figure. That's simply the system that we are purchasing.

Roll Call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yeas-7, Nay- 0 Motion passed.**

**Ordinance No. 005-24- Part-Time Administrative Assistant**

Council President Durham read by title Ordinance No. 005-24 creating the non-bargaining position of Part-Time Administrative Assistant for the City of Napoleon, Ohio.

Motion: Schwab Second: Cordes  
to approve First Read of Ordinance No. 005-24.

Small- This position will report directly to the Public Works Director and City Engineer, Chad Lulfs. It is primarily administering contracts and project associated paperwork. They will prepare bid documents, coordinate funding disbursements and reimbursements and maintain the certified payroll records per the State of Ohio guidelines. This individual will work anywhere from 2 – 3 days a week; the job just does not require full-time person, so they will report as the work is there. Last but certainly not least, I would ask that this be passed under suspension so we can get this going. We'd like to have that person in place by April 1<sup>st</sup>.

Motion: Haase Second: Weitzel

To suspend the rules requiring three reads on Ordinance No. 005-24.

Roll call vote on the above motion:

Yeas- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nays-

**Yeas-7, Nays-0. Motion passed.**

Roll Call vote to pass Ordinance No. 005-24 under suspension.

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yeas-7, Nay-0 Motion passed.**

**SECOND READ OF ORDINANCES AND RESOLUTION**

**Ordinance No. 003-24- Yard Waste Site Rates**

Council President Durham read by title Ordinance No. 003-24 an Ordinance amending Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service, also amending Ordinance No.(s) 082-04 and 062-18, rules for disposal at the city's yard waste collection site.

Motion: Haase      Second: Schwab  
To approve Ordinance No. 003-24 on Second Read

Small- I will not read through the ordinance at this time. There are no changes based on what was passed the last time which was a monthly fee for refuse customers of \$21.00 and the bag tags were \$2.00 for a single bag and then \$4.00 if they have to pick up extra bags that aren't tagged. I've done enough discussing of this during Water, Sewer, Refuse and Recycling Committee, the Board of Public Affairs and previous council meetings. So, I won't go over all of the numbers tonight. But I did come up with several scenarios that I've placed before you this evening. This really all about revenue enhancement. As I stated before, its been fifteen years since we've adjusted our refuse rates, twenty years since we did anything with yard waste, and as you've seen in some of the spreadsheets I've shown you, our balances are declining and so what this is all about is making sure that those funds stay healthy and before they get too sickly, we'd rather do it now than wait later. So, what I've given you this evening are five different scenarios for you to look at and then a summary of all of those scenarios at the bottom. What I've done is I took 2023 actual numbers, and I applied all the increases to those 2023 actuals so kind of an apples to apples comparison. I kept all of the expenses the same, and only increased the rates that are in the ordinance. The top one there is the \$20.00 a month and \$2.00 and \$4.00 tags; that should read \$18.00 a month and \$2.00 and \$4.00 tags. Gosh, I've looked at this thing a thousand times. Those are the 2023 numbers. You can see in that second line there; we've basically lost \$44,000.00 last year; our expenses were \$44,000.00 greater than our revenue. In some of the other years, 2022 we lost almost \$63,000.00, 2021 we lost just over \$48,000. So, we're just not collecting enough to pay for the services. So, what I've proposed is you can see those five different scenarios and I'm only proposing these because I know there was quite a bit of discussion at last council meeting; I thought I'd just throw these out there. You can see the various scenarios; obviously there's one down at the bottom that shows \$21.00 a month, \$4.00 and \$6.00 tags, which is kind of the whole shoot n match, and it increases our revenue by \$188,000.00 for next year per these numbers. I'll let you look over those, certainly open for discussion, just thought I'd throw out the information. McBride- Thank you for all of the background work. I know it's time consuming for sure.

Haase- I would like the bag tag to stay at \$2.00 that it is now. It can be, like Mr. Weitzel said at the last meeting, a pretty good drag on certain people that can't really afford it. We don't need garbage like a big pile of tires they showed on the news last night dumped in a person's front yard.

McBride- I guess I would counter that point with I don't want to force those that feel like they are only using one or two bags a week to incur the cost of the people that are using other bags. So, while I acknowledge the fact that we are asking those who are using those extra bags to pay more, I also don't want to penalize, and socialize in a way, that extra expense onto those that are not using that and are very diligent in using our recycling program. I was able to engage the public some on social media, I've done some work talking to co-workers and those that live in the community and I also got, actually I got home for lunch today as the trash guys were going down my street, so I stood and talked with them a little bit. Their opinion is the houses that are using those extra bags above and beyond the two seemed also to be the houses that are not using the recycling program. So, I think there's opportunity there, maybe there's a teaching opportunity for us to enhance that recycling knowledge and really have our citizens understand the things that they can do to get rid of some of those extra bags, but I guess I would counter the point, to summarize everything that I just said, with saying I would rather raise the cost of the tags and put the cost on the people that are using those tags versus on increasing everybody.



Small- As it was initially proposed, it was the \$20, \$4 and the \$6.

Small- Just to reiterate one more time. The initial proposal was an increase of revenue of \$144, 864.00 and the way the proposal is currently written is \$170, 061.00.

Roll call to vote on the above motion:

Yea- McBride, Weaver, Cordes

Nay- Schwab, Durham, Haase, Weitzel,

**Yeas-3 , Nays-4 Motion failed.**

Roll Call vote to approve Ordinance No. 003-24 on Second Read:

Yea- Schwab, Durham, Haase, Weitzel

Nay-, McBride, Weaver, Cordes

**Yeas 4, Nay- 3 Motion passed.**

**THIRD READ OF ORDINANCES AND RESOLUTION- None**

**GOOD OF THE CITY (Discussion/Action)**

**Award of HEN Napoleon Safe Routes to School FY24**

Small- As Chad presented last meeting, we were not prepared at that time to recommend an award of this project simply because there was an issue with the bid that was presented by one of the contractors. The State finally got back with Chad, I think it was Tuesday following the last meeting and had disqualified that company because they didn't have all of their paperwork in order. So, with that said, the published engineer's estimate for this project was \$359,165.00. The grant is up to \$370,000 and we recommend that council award this contract for Safe Routes to School to Vernon Nagel for \$351,006.90.

Motion: Haase Second: Weitzel

To approve award of HEN Napoleon Safe Routes to School FY24 to Vernon Nagel for \$351,006.90

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yeas-7, Nay- 0 Motion passed.**

**Appoint A New Member of the Board of Zoning Appeals**

Bialorucki- We have two positions on the Board of Zoning Appeals that need to be filled. I'd like to fill one of those with Ethan Plummer and the other with Kelly Burkhardt.

Motion: McBride Second: Cordes

to approve Ethan Plummer and Kelly Burkhardt to serve on the Board of Zoning Appeals.

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yea-7, Nay-0. Motion Passed**

**Approval of the Power Supply Cost Adjustment Factor for February 2024 as PSCA-3-month averaged factor \$0.02145 and JV2 \$0.039338**

Small- Yes, this number is actually down slightly from last month. As I emailed you a message following the last meeting, I mistakenly or failed to mention that Fremont gas-fired plant had been down for six weeks following a major maintenance rebuild. They're 30% of our load goes through Fremont, that gas-fired plant, it's relatively inexpensive power. So with that down, we were forced to buy more off the open market, which increased the rates. That has since come back on-line, so it should rebound somewhat, and those rates should come down a little bit more over the next few months. Bear in mind it is a three month moving average so you won't see an immediate drop but they will come down somewhat, barring any unforeseen outages.

Motion: Schwab Second: Haase

To approve the Power Supply Cost Adjustment Factor for February 2024 as PSCA-3-month averaged factor \$0.02145 and JV2 \$0.039338

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yea-7, Nay-0. Motion Passed**

**Approve PC-24-04 Change in Use or Conditional Use Permit- 821 Haley Avenue**

Bialorucki- The Planning Commission met last week and the owners of 821 Haley Street, Steve and Julie Busch, have a photography studio. Right now, that is in a building not attached to their current home. That was approved back in 1997 and finished in '98, with a little bit of an addition; they put a full bath and a full kitchen, and their intent was to use it as their photography studio and also a mother-in-law suite. They've done that for years now and now they're looking to use that as an apartment. The issue that was brought up in the commission meeting, is what they are asking for is a change of use for this and this was something that I was not aware of until this meeting is that is not allowed by our code the way it currently is why they needed a change in use permit. If the structure was connected to their existing house, this would be no issue at all. We have duplexes, we have people that have like an Air BNB, but it would have to be connected. And the reason for that, is we don't want people to have like a detached garage with a living space above and then rent that out or putting in tiny houses in their backyard and then having people living in the backyard and things like that, so we have that on the books. It was recommended and passed that we do this as a temporary conditional use permit for twenty-four months with then a review to see if any neighbors complain or if there are any other issues that come about. I know that was long-winded compared to other ones, but I think it is very important that everyone understands what was brought to us and we recommended.

Durham- This'll be going to be used as an apartment, correct? Not an Air BNB. Bialorucki- Correct.

Weitzel- Mr. President, if I can just ask a question. I was listening to the dates, the original change to the photo studio needed a conditional use permit because it was a commercial in a residential. And then immediately the next year, it was expanded? Bialorucki- I believe so from what the discussion the other day, they just added on to it. They didn't change the conditional use permit; they just added a little bit

more in that building. Weitzel- They made it a living space at that time. Bialorucki- Correct but it wasn't going to be used for that. Weitzel- So, that has never been used as a living space. Bialorucki- Correct. Weitzel- Ok, that's a misunderstanding. I thought you said it was because it was a mother-in-law suit. Bialorucki- They would use it for, if someone was coming to stay. Weitzel- So family, guests, a guesthouse. Bialorucki- Correct.

Schwab- Is there square footage requirements on this type of permit? Small- Yes there are, I can't quote what they are but there are square footage requirements. Bialorucki- You're asking the size of the actual structure? Schwab- Yes. Bialorucki- Because we did talk about the square footage if someone had a large enough property, would be able to split up the parcel into two, that square footage would have to be, I believe Kevin Schultheis said 5,000 square feet and there's not enough room on their property to split it into two. Weitzel- This doesn't meet the requirements for square footage is what you're saying. Bialorucki- To be able to split into two parcels, correct. Weitzel- No, the structure itself does not meet the minimum requirements? Bialorucki- I don't know that; I'm not sure what that requirement is. Small- I don't believe it does. Weitzel- So it doesn't meet the minimum requirement for a dwelling. Small- I believe that's true. Harmon- That's why they are asking for a conditional use permit to operate as they have explained. If council approves it then here we go, if not then no.

Schwab- So, when we think of a temporary basis, are we opening the door up for more temporary permits if we do this? McBride- That was my concern is are we developing a road map to having this discussion multiple times.

Weaver- So actually from a legal argument, so if we approve one, what keeps us from... Harmon- We have every right to disapprove of any subsequent requests. We looked at this on its merits and approved it; each one comes in on its own merits and council can do what it wants to do with those. Now, does that stop a person from potentially filing something? No, people can file against the city for anything they dream of. It does happen but I think it would be meritless. Weaver- What would keep us from not approving one again and again? Bialorucki- I would think from being in that meeting, the concern would be the type of structure that would be a dwelling for people to live in where this one is built nice and its finished; doesn't stand out like others could and that's what I believe they were trying to prevent. Weaver- If I came along and wanted to build one, that is a different subject. Harmon- That is very different, yes. This one's already there and it's been there for a decade.

McBride- You did say this is an apartment, so it isn't leased out, it isn't an Air BNB temporary stay. It is an apartment that is going to add to the housing that we have in Napoleon. Bialorucki- Correct. Harmon- And then subject to review after those two years to make sure there wasn't anything like that going on and the neighbors don't show up in mass at the next hearing to say no thank you on this. So, it's a chance to prove that they claimed to be doing. McBride- Is there a reason two years was picked as the amount of time? Bialorucki- No. It was a suggestion and we thought it would be great to give at least a temporary time so we can evaluate the two years.

Motion: Durham Second:  
To approve PC-24-04 Conditional Use Permit subject to review in 24 months- 821 Haley Avenue  
Motion failed due to lack of second.

McBride- I would be more inclined to look at it at a shorter window than two years. Small- I will say this. I believe any conditional use permit can be reviewed, revoked, at any time. So, if there are issues with

this within that two-year time span, then this conditional use can be pulled. McBride- I just want to make sure to know what I'm making that vote on. And I will say that if its an opportunity that housing is something that Napoleon desperately needs, so, I also understand that and I see that this is another opportunity to add a well-maintained property and for somebody to have an opportunity to live in Napoleon.

Cordes- How many person residents will this be? Is this an individual apartment for one? Harmon- It says its 500 square feet, so its small. Bialorucki- You can guess its probably one person, two max. Steve and Julie did mention that there is someone in there now, that's why this was brought to the city's attention and from what they said, this person is having a house built and this is a place for that person to stay until the house is built. And if someone else needed some temporary housing then that's their thought behind it. Harmon- So Andy's point is appropriate to repeat in this situation. If they're violating the conditional use permit, certainly we can take action on that well before the two years is up; we don't have to wait for that hearing in two years. If there's an issue six months from now, the city can certainly bring to the property owner's attention, and we can correct that.

Harmon- Did you want to repeat your motion to see if there's a second?

Motion: Durham Second: McBride

To approve PC-24-04 Conditional Use Permit as recommended by the Planning Commission.

Roll call vote on the above motion:

Yea- Durham, McBride, Weaver, Cordes

Nay- Schwab, Haase, Weitzel

**Yea-4, Nay-3. Motion Passed**

#### **AROUND THE TABLE**

Small- Charter Review Commission meets tomorrow night at 6:30 p.m. I have completed another review of the solar rules, and I am prepared to take those back to electric committee next month and it's already on the agenda for the electric committee, I just haven't been prepared for it up until now. So, just a heads up, we will be meeting next month on the electric committee to review those solar rules one more time. I have a meeting tomorrow night. I may be tarty for the Charter Review Commission meeting. That's all I have.

Harmon- Nothing.

McBride- Just want to take a moment to give a shout out to one of our citizens Tesha Brown and Dustin Gilson that live at 515 Filmore. She took it upon herself to basically open up a small food pantry for her neighbors. She said that she saw a need and that she's trying to answer that need. So, I was able to stop over at that residence after work today and thank them. So just a tip of the cap for someone who has a little bit extra and helping others and I think that's commendable. So just a shout out to two good citizens doing something good for other citizens of Napoleon.

Weitzel- Nothing

Haase- Nothing

Bialorucki- The only thing I have to say is I'm very proud of this council. I mean, with me being on council for about eight years, I was thinking that there's probably a handful of times that there were votes 4 to 3 in the eight years that I was on. And now tonight with a lot of new people, I'm just amazed with the amount of research that each and every one of you have done and how respectful the conversation is, so thank you all for what you are doing.

Schwab- To kind of piggy back off of that, I mean just the discussion alone on the refuse and the dialogue we were having last meeting made me really dive deeper into what the costs are or what's out there for everybody so don't get discouraged. I mean the work that you did today was awesome because I wouldn't have known that either. So I definitely appreciate us as a team with this communication and trying to build the city better. And then another thing I wanted to see, a conversation piece maybe, was maybe putting a policy in place for a continued review of the refuse/waste so we're not fifteen years down the road going, why didn't we do that. Obviously, everybody's busy, the city's busy on everything they do so sometimes if a policy is in place that gives more direction on what should be done. Durham- That was a topic that was brought up at the Water, Sewer, Refuse Committee as well. Maybe we can add an item for discussion next month, or the month after, on that topic Andy.

Cordes- I was reading in the tree report there's a problem with one of the spots where a tree keeps getting run over by a semi. Weitzel- Tree well by the grocery store in town. Cordes- Right. It made me think about that. What about putting up a visible bench and putting up one of our concrete trash cans right next to it? Weitzel- Being on the Tree Commission and listening to the reports, with the odds very heavily that it will be hit, we would just be putting an impediment in the road that would cause a lot of damage and a lot of clean up. I was on the Tree Commission tonight and decided to delete that well since it's just a target; we allowed the grocery store, so we know we are going to have semis in and out of there all of the time. It's just in that arc; five feet to the north and it wouldn't get hit, so they're going to delete that well and have a well placed just a little bit farther up to the north maybe one section, maybe two sections, where it won't be in that radius. Cordes- I was on the Tree Commission previously and that had been an issue. One of the things they were talking about was concern about the weight of the truck going over the concrete and even filling in that well, if he continues to drive in that spot, we're going to run into an issue with the weight breaking the concrete and that's my concern. So, it's more than just that well's being in a bad spot, that truck should not be driving in that spot because it doesn't have the proper support. Weitzel- I don't disagree with you there; however, you take a look at some of the other businesses, truck stops for instance, Wal-Mart for instance, that put very large rocks in the way so that trucks wouldn't hit them, and they get drug down the road and then we have to come and pick them up. Cordes- I'm just saying that taking away the tree well isn't going to take away the possibility of doing damage to the spot. I'm just wondering if there is a better answer than that because they're running over that concrete does not help the situation. Durham- Andy, can we have you partner with Chad and help you brainstorm some solutions. Small- Where is the exact location you are referring to? Weitzel- Its across from Circle K, the one that doesn't have a tree in it because it's been run over three different times. Small- At the Dollar General? Weitzel- Yes. Like I said the Tree Commission tonight requested to have that



deleted and have that tree planted just a little bit farther up. Durham- Maybe just an update in the weekly F.Y.I. Small- Chad's out of the office this week.

Weaver- Just one item. We have no additional agenda item for Finance and Budget Committee so no need for a 2/26/2024 meeting.

Garringer- Nothing

Durham- I do want to officially welcome our new Clerk of Council, Amanda. It is great to have you on board. MARRISA, you will be missed but I know we're in good hands.

**Executive Session (to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or employees)**

Motion: Schwab                      Second: Cordes

To enter Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or employees at 7:53 p.m.

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yea-7, Nay-0. Motion Passed**

Motion: Haase                      Second: Weitzel

To exit Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or employees at 9:12 p.m.

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yea-7, Nay-0. Motion Passed.**

Durham- No action was taken.

**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)

**ADJOURNMENT**

Motion: Weitzel                      Second: Cordes

To adjourn the City Council meeting at 9:13 p.m.

Roll call vote on the above motion:

Yea- Schwab, Durham, Haase, Weitzel, McBride, Weaver, Cordes

Nay-

**Yea-7, Nay-0. Motion Passed**

Approved

March 4, 2024

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J. Ross Durham, Council President

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Joe Bialorucki, Mayor

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Amanda Griffith, Clerk

DRAFT

**ORDINANCE NO. 003-24**

**AN ORDINANCE AMENDING SECTIONS 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, AND 925.22 OF THE CITY OF NAPOLEON, OHIO CODIFIED ORDINANCES AS THEY RELATE TO REFUSE SERVICE; ALSO AMENDING ORDINANCE NO.(S) 082-04 AND 062-18, RULES FOR DISPOSAL AT THE CITY'S YARD WASTE COLLECTION SITE**

**WHEREAS**, the Board of Public Affairs and the Water, Sewer, Refuse Recycling and Litter Committee of Council met on January 8, 2024, and reviewed and recommended the following changes to the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service; **Now Therefore**,

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

Section 1. That, Section 925.07 of the Codified Code of Napoleon, Ohio shall be amended and enacted as follows:

“ 925.07 BAGS AND TAGS.

Plastic bags must be used for garbage, refuse or rubbish and shall be properly tagged, except as permitted in Section 925.13, and shall not exceed 30 gallons each in capacity. The weight of the bag and contents shall not exceed 25 pounds. Paper sacks, cardboard boxes, and fiber drums are not approved type garbage or refuse containers. Unapproved containers will be left untouched by collection crews. Where the subscriber chooses to use a bag holder, a clean refuse can, not to exceed 35 gallon capacity, may be used. When the bag is filled, it shall be tied securely for pickup. Broken glass or sharp objects shall be wrapped in newspaper before placing in plastic bags or liners and in such a manner as to avoid puncturing and injury to collection personnel. Plastic bags not properly tagged may be either left at the place found or picked up at the discretion of the Operations Superintendent or his or her designee; however, when found at the curb site or normal pickup area, it shall be deemed placed there by the subscriber for the purpose of pickup by the collection crews. Because of the additional labor involved in tracking and invoicing a picked up untagged bag, the cost of such service, when picked up, will be twice the normal tag rate. The amount will be invoiced or placed on the subscriber's utility bill.”

Section 2. That, Section 925.12 of the Codified Code of Napoleon, Ohio shall be amended and enacted as follows:

“925.12 ROUTE-SCHEDULES.

(a) Collections will be made in accordance with a regular route schedule established by the Operations Superintendent. Time of collections can vary due to weather conditions, City approved holidays, difference in volumes of pickup materials, failure of equipment, etc. Should a permanent change in any collection route become necessary, notification of the change will be carried in newspaper advertisements, or other convenient form of notification at least 5 days before the beginning in change of pickup time.

(b) No garbage or refuse collections will be made on Sundays and, generally, not City approved holidays. Collection schedules for weeks during which holidays occur will be carried in the local newspaper, [the City website](#), [Facebook page](#) and utility bill.

Section 3. That, Section 925.13 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

"925.13 RATES.

(a) The following rates are established as a monthly base fee as it relates to City bag refuse service, and shall be charged to each subscriber utilizing or mandated to utilize the City's bag refuse service. Commercial use of residential type recycling service is permitted in accordance with paragraph (c). Nothing in this provision shall be construed as mandating the City to provide refuse service outside its corporate limits.

<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
<del>\$18.00</del> \$21.00	<del>\$24.30</del> \$26.00

(b) Each subscriber to the City's bag refuse service will be permitted to have two (2) bags of garbage or refuse, per week, at no additional cost (without necessity of a tag), as part of the established monthly fee paid by all City bag refuse subscribers; thereafter, there will be a charge of \$2.00 per tag. ~~that~~ Tags shall be affixed to the outside of each bag after the first two (2) bags as provided for in Section 925.07. Tags may be purchased at the office of the City Utilities Department or at other locations as may be designated.

(c) Commercial recycling service when provided by the City, in or outside the corporation limits, shall be at the rate of ~~\$18.00~~ \$21.00 per month for up to six residential type recycling bins with additional bins, up to ten in total, at the rate of \$1.00 per month for each additional bin over six. Levels of service shall be established on an annual basis.

(d) Low occupancy: The City will allow residential customers to request a partial credit on the monthly refuse charge provided the residential customer demonstrates and/or proves that no garbage was generated during the entire month and/or billing cycle. Proof will be in the form of a sworn affidavit signed and notarized by the residential customer stating the reason for non-generation of garbage and requesting a partial credit for the period of the billing cycle. Refuse charge will remain on the monthly bill and requests must be made after each billing cycle, and no later than sixty (60) days after the utility bill "billing due date" for which the request of is being made. Proof will be subject to verification by the Refuse Collection Department in operations. Additionally, the customer's utility account will be checked for consumption history of electric, water, and sewer. If consumption history is minimal for electric and there is neither water nor sewer consumption during the time period of the billing the request will be approved. However, if there is average or normal consumption history for electricity or there is water or sewer usage the request will not be approved. Approved requests will be credited to the customer account on the next earliest possible billing. However, the customer will not receive any credit for special sanitation services as established in Section 925.17(b). The customer's affidavit is only valid for six (6) months and must be renewed thereafter. Affidavit forms will be provided upon request."

Section 4. That, Section 925.16 of the Codified Code of Napoleon, Ohio, shall be amended as follows:

“925.16 PURCHASE OF TAGS AND UTILITY PAYMENTS

(a) Tags shall be purchased in advance from the Utilities Department of the City or their designated agent and, when required, shall be firmly affixed to the bag containing the garbage or refuse. ~~If no tag is tags are found affixed at time of scheduled collection (except for the two (2) weekly bags of garbage or refuse that is allowed at no additional charge by the City), the garbage or refuse will not be collected.~~

(b) If a customer makes payment on or before the due date of a bill to an agent designated or authorized by the public utility to accept payment, the payment shall not be considered past due regardless of whether or not it is received in the company offices by the due date.”

Section 5. That, Section 925.17 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

“925.17 CHARGE FOR SPECIAL SANITATION SERVICES.

(a) No additional fee, except as may be otherwise provided in this chapter, shall be charged to subscribers utilizing the City’s bag refuse service within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) The City’s seasonal pickup program at a time or times as determined by the City;
- (2) Limited leaf collection each year;
- (3) Mosquito control (within the City);
- (4) Specially-announced pickups for storm debris;
- (5) Yard-waste drop-off site operation;
- (6) Equipment and supply costs for a curbside recycling program;
- (7) Operating costs for a curbside recycling program;
- (8) Pickup of public garbage containers (within the City).

(b) The sum of ~~\$5.00~~ \$6.00 per month shall be charged to all electric utility accounts, other than all subscribers utilizing the City's bag refuse service as provided in division (a) above, within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) Mosquito control;
- (2) Specially announced pickups for storm debris;
- (3) Yard-waste drop-off site operation;
- (4) Pickup of public garbage containers.

(c) ~~The sum of \$15.00 per cubic yard shall be charged to subscribers requesting special pickup of refuse. Special pickups will only occur on normally scheduled pickup date.”~~

Section 6. That, Section 925.19 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

“925.19 CHARGES FOR SPECIALLY REQUESTED PICKUP SERVICES.

The following items, although not an exhaustive list, shall be considered specially requested pickup services by the Sanitation Department of the City. Any such item shall incur additional charges, which charges shall be closely calculated as the actual labor, equipment and disposal cost thereof as incurred by the City: ~~Such labor, equipment and disposal cost shall be recommended by the Board of Public Affairs, approved by motion of Council and placed on file with the City Finance Director, subject to modification.~~

~~Any modification of rates shall be on file 7 days prior to the effective date for public viewing:~~

- (a) All appliances, which shall include, but not be limited to, refrigerators, stoves, freezers, washers, dryers, air conditioners, water heaters, dishwashers, compactors.
- (b) Furniture, including, but not limited to, couches, chairs and tables.
- ~~(c) Loose yard waste, including, but not limited to, brush, leaves and other vegetative wastes.~~
- (d) All other items and loose materials.
- (e) Tires and automotive parts and any other item, mentioned or not, that is not part of the normal weekly garbage or refuse pickup.”

Section 7. That, Section 925.22 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

“SECTION 925.22 PROHIBITION AGAINST PLACING YARD WASTE FOR COLLECTION.

~~Except as provided for in Section 925.19;~~ It shall be a violation of this chapter for any person to place yard waste for collection, removal or disposal by the City's Sanitation Department.”

Section 8. That, Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the Codified Code of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, are repealed.

Section 9. That, the rules for disposal at the City’s yard waste collection site were previously recommended to Council by the Board of Public Affairs and the Water, Sewer, Refuse, Recycling and Litter Committee of Council.

Section 10. That, the rules for disposal at the City’s yard waste collection site as recommended were approved by Council by unanimous passage of Ordinance No. 082-04 on June 21, 2004 and Ordinance No. 062-18 passed on December 3, 2018.

Section 11. That, the rules for disposal at the City’s yard waste collection site shall be amended and enacted as follows:

**“YARD WASTE COLLECTION SITE(S) RULES**

**Rule 1. ACCEPTED MATERIAL**

The only materials accepted and to be deposited at the Yard Waste Site are: grass, brush, flower waste, domestic vegetative waste, leaves. No person shall deposit any other material at said Site.

**Rule 2. GRASS**

All grass deposited at the Site must be removed from bags and deposited in a loose condition. No bagged grass shall be deposited at the Site.

**Rule 3. BRUSH PILES**

Brush piles found at the Site are to be used only for drop brush, flower waste, leaves, and domestic vegetative waste (e.g. corn stalks, tomato vines, hedge clippings). The items mentioned in this Rule 3 shall only be placed in loose condition in the brush pile and

shall not be deposited in bags or boxes. No person shall deposit items as mentioned in this Rule 3 that exceed 10” (inches) in diameter or 48” (inches) in length.

**Rule 4. LEAVES**

Leaves deposited at the Site must be removed from bags and deposited in loose condition only in the designated area.

**Rule 5. CONCRETE RECYCLING**

Any person depositing scrap concrete at the Yard Waste Site shall have prior written permission from the Operations Superintendent, or his/her designee.

**Rule 6. APPLICABLE LAW**

All persons utilizing the Yard Waste Collection Site shall follow all Regulations, Rules and Laws of this City and State pertaining to dumping at Yard Waste Collection Site.

**Rule 7. MULCH AVAILABILITY**

- a. Mulch is available during daylight hours to anyone at no charge, so long as quantity exists.
- b. The city will load a vehicle upon request, within the capacity of City equipment, at a charge of ~~\$5.00~~ \$8.00 per ~~load~~ first scoop (2-3 cubic yards) and \$4.00 for each additional scoop.
- c. The City will deliver a small dump truck load of mulch (approximately 2 cubic yards) inside the City limits for a charge of ~~\$10.00~~ \$16.00. Outside the City limits, but inside Henry County, the charge will be ~~\$10.00~~ \$16.00 plus ~~\$1.00~~ \$3.00 per loaded mile.
- d. The City will deliver a large dump truck load of mulch (approximately 6 cubic yards) inside the City limits for a charge of ~~\$15.00~~ \$24.00. Outside the City limits, but inside Henry County, the charge will be ~~\$15.00~~ \$24.00 plus ~~\$1.25~~ \$3.00 per loaded mile.
- e. Any request for loading or delivery of mulch must be made through the Operations Department Offices at 419-599-1891, between the hours of ~~8:00 a.m.~~ 7:00 a.m. and ~~5:00 p.m.~~ 3:00 p.m. Loading and delivery will occur on Fridays ONLY. No delivery or loading will be scheduled on weekends or at anytime that could result in overtime or when work schedules would need to be adjusted to accommodate this service.

Any person found violating Rule 1, 2, 3, 4, 5 or 6 of the Yard Waste Collection Rules shall be deemed guilty of a minor misdemeanor offense.”

Section 12. That, the City Yard Waste Policy shall be amended and enacted as follows:

**“YARD WASTE SITE POLICY**

1722 Oakwood Ave.

Ordinance No. 062-18

1. The Yard Waste Site will only be open from dawn until dusk.
2. Only City residents and select businesses that pay a fee to dispose of yard waste will be permitted to dispose of yard waste at the Yard Waste Site.

3. A non-resident may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~sixty dollars (\$60)~~ **seventy-five dollars (\$75)** per year. The Pass will be valid for each calendar year.
4. If a person other than the resident is disposing of yard waste at the Yard Waste Site for a resident, the individual must provide proof that the yard waste being disposed of is from a resident's address.
5. A business that does not already pay the refuse fee on the utility bill may be permitted to dispose of yard waste at the Yard Waste Site if the business contacts the City Utility Department and elects to pay ~~five dollars (\$5)~~ **six dollars (\$6)** per month for unlimited use of the Yard Waste Site.
6. **A contractor (Handyman/Lawn Service) with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for two hundred dollars (\$200) per year. The Pass will be valid for each calendar year.**
7. **A Tree Service/Tree Removal contractor with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~two hundred dollars (\$200)~~ one thousand dollars (\$1,000) per year. The Pass will be valid for each calendar year.**
8. **A Tree Service/Tree Removal contractor with a business address outside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~two hundred dollars (\$200)~~ two thousand dollars (\$2,000) per year. The Pass will be valid for each calendar year."**

Section 13. 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 14. 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 15. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
J. Ross Durham, Council President

Approved: \_\_\_\_\_

\_\_\_\_\_  
Joseph D. Bialorucki, Mayor



VOTE ON PASSAGE \_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Attest:

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Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 003-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2024; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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*Marrisa Flogaus, Clerk of Council*



# City of *NAPOLEON*, Ohio

## *Fire - Rescue Department*

265 W. Riverview • P.O. Box 151  
Napoleon, Ohio 43545-0151  
Phone: (419) 592-0441 • Fax: (419) 592-5195  
Web Page: [www.napoleonfire.com](http://www.napoleonfire.com)

*Fire Chief*  
David L. Bowen

*Assistant Fire Chief*  
Jonah L. Stiriz

*Captain*  
Joel Frey

*Captain*  
Tyler Reiser

*Captain*  
Alex Rupp

*Lieutenant*  
John Pugsley

*Lieutenant*  
Trevor Ashbaugh

*Lieutenant*

*Website*  
[www.napoleonfire.com](http://www.napoleonfire.com)

 *Facebook*  
City of Napoleon Fire and  
Rescue

 *Twitter*  
@napoleonfire

 *Instagram*  
Napoleonfiredepartment

Hello,

In 2023, the City of Napoleon Fire Department had some big changes happen. It is an honor to be recognized as the face of this great organization, although the men and women of this department deserve all the credit as they put forth all the long hours and hard work. I feel that my job is to provide the equipment, apparatus, and facilities they need to continue to be successful. I look forward to what the future holds for our organization and the great citizens we are sworn to protect not only for the City of Napoleon but also the citizens of Napoleon Twp, Harrison Twp, Freedom Twp, Flatrock Twp, HCSJAD, and the Village of Florida.

Below is a list of projects that we as a department completed in 2023:

1. Promotion of a new Chief of the Department
2. Promotion of a new Assistant Chief of the Department
3. Remodel of Chief and Assistant Chief's offices
4. Remodel of the dormitory bathroom/shower area due to burst water lines during extremely cold weather conditions.
5. Made the switch from NORPSS (Northwest Ohio Regional Public Safety System) to MARCS (Multi-Agency Radio Communication System)
6. Received a donation of a new Grain Rescue Tube and grain vac from The Anderson's Corporation
7. Hired 2 full-time members to put the department at full-strength (9)
8. Promoted a 3<sup>rd</sup>, Captain.
9. Filled all permanent part-time positions.
10. Added communication capabilities to the Rescue Air Boat
11. Began the spec process of a new fire engine.
12. Re-structured the NET to utilize our members more efficiently and effectively.
13. Upgraded cardio equipment in the fitness area to provide better opportunities for members' health and well-being.
14. Installed a concrete patio area behind the station.

In 2024, we anticipate the following:

1. Apply for the AFG (Assistance to Firefighters Grant) for the purchase of a new fire engine replacing a current engine from 1996.
2. Purchase battery operated extrication equipment with grant money secured by HR.
3. Begin the replacement process of turnout gear and radios (Year 1 of 4)
4. Complete CAD switchover to bring the entire county onto the same system.
5. Hire a part-time Admin Assistant
6. Begin a remodel of the kitchen area to better accommodate more members.

7. Restructure Automatic Aid Agreements with adjacent departments.
8. Rebuild relationships with county departments.
9. Develop a recruitment program.
10. Complete fire safety inspections on all commercial structures.
11. Continue to work on patio area behind station for all FD and City Hall employees to use.

I hope that if you have any questions or concerns regarding the current or future state of this organization you will reach out to me at your earliest convenience. It is my hope in 2024 to be a more regular face at your respective meetings to provide any information or updates that you may require. Our department looks forward to serving you and your respective areas in 2024 and beyond.

Best Regards,

A handwritten signature in blue ink, appearing to read 'D. Bowen', with a long horizontal line extending to the right.

Chief David L. Bowen

**2023 CONTRACT FOR FIRE/EMS**

**2024 FIRE & EMS PROJECTED SERVICE CONTRACT COSTS WITH CONTRACTED ENTITIES  
USING - 2023 ACTUAL EXPENSES & REVENUES & 2024 BUDGETED EXPENSES & REVENUES**

Working Draft

FUND	DEPT	ACCT		2023 ACTUAL EXPENSES	2024 APPROVED BUDGET
No/CO = No Prior Year Carryover In Totals->					
<b>2200 FIRE &amp; EMS/SAFETY SERVICES</b>					
<b>Personal Services:</b>					
100.	2200.	51100	Salary-Non Bargaining	155,899.34	184,221.76
100.	2200.	51101	Salary-Non Bargaining-Overtime	0.00	0.00
100.	2200.	51400	Salary-Fire Fulltime	626,614.16	597,411.44
100.	2200.	51401	Salary-Fire Fulltime-Overtime	27,571.85	23,690.00
100.	2200.	51410	Salary-Fire Parttime	294,690.75	285,310.00
100.	2200.	51412	Salary -Adjunct	2,054.47	5,150.00
100.	2200.	51413	SALARY - FIRE PARTTIME-OVERTIM - Fire Part Time	0.00	0.00
100.	2200.	51500	PERS	281.41	1,009.40
100.	2200.	51540	Fire Pension-Current Liability (Net \$, See 291 Fund)	89,510.83	145,427.57
100.	2200.	51560	Social Security	18,441.03	17,689.22
100.	2200.	51600	Worker's Compensation	19,160.01	21,956.86
100.	2200.	51700	Medicare-City Share	15,504.03	15,918.73
100.	2200.	51710	Hospitalization Insurance	186,308.04	255,194.52
100.	2200.	51750	Life Insurance	474.24	140.00
100.	2200.	51900	Unemployment Compensation	10.09	0.00
291.	2200.	51540	Fire Pension-Current Liability (Net \$, See 100 Fund)	104,930.61	152,850.00
<b>Total Personal Services</b>				<b>1,541,450.86</b>	<b>1,705,969.50</b>
<b>Other:</b>					
100.	2200.	52000	Travel, Training and Education	13,031.74	17,500.00
100.	2200.	52010	Memberships and Dues	904.99	1,400.00
100.	2200.	53110	Utilities-Electric	19,872.32	27,200.00
100.	2200.	53111	Utilities-Natural Gas	1,473.49	2,250.00
100.	2200.	53113	Utilities-Water and Sewer	6,957.25	7,200.00
100.	2200.	53114	Utilities-Telephone	5,905.30	7,170.00
100.	2200.	53115	Utilities-Cable Modem	1,196.98	1,260.00
100.	2200.	53200	Service Contracts-Communications	19,275.41	2,500.00
100.	2200.	53300	Service Fees-Professional	19,993.28	24,720.00
100.	2200.	53510	Contract Maintenance-Vehicles	6,281.03	10,000.00
100.	2200.	53520	Contract Maintenance-Equipment	14,346.36	17,500.00
100.	2200.	53610	Contract Maintenance-Buildings & Structures	20,624.50	14,300.00
100.	2200.	53700	Insurance and Bonding	24,503.33	21,000.00
100.	2200.	53710	Insurance Claims-Deductible	808.30	1,000.00
100.	2200.	54100	Supplies-Office	1,220.17	1,500.00
100.	2200.	54110	Supplies-Postage and Delivery Charges	32.11	200.00
100.	2200.	54200	Supplies-Operating Materials	2,662.18	3,000.00
100.	2200.	54220	Supplies-Fire Prevention	1,489.30	4,000.00
100.	2200.	54230	Supplies-Gasoline & Diesel Fuels	21,574.50	23,000.00
100.	2200.	54240	Supplies-Chemicals	6,930.94	9,500.00
100.	2200.	54300	Supplies-Vehicle Parts & Supplies	3,147.30	5,000.00
100.	2200.	54500	Supplies-Other Equipment	2,896.42	4,500.00
100.	2200.	54700	Supplies-Small Tools	905.10	3,000.00
100.	2200.	54800	Supplies-Uniforms	10,958.86	13,500.00
210.	2200.	52000	Travel, Training and Education	16,197.08	19,500.00
210.	2200.	53300	Service Fees-Professional	49,073.46	64,150.00
210.	2200.	53430	Contracts-Townships EMS Revenues	56,221.26	55,000.00
210.	2200.	53510	Contract Maintenance-Vehicles	560.58	5,000.00
210.	2200.	53520	Contract Maintenance-Equipment	12,310.07	19,500.00
210.	2200.	54200	Supplies-Operating	40,509.31	47,850.00
210.	2200.	54225	Supplies-EMS Durable Equipment	658.08	6,500.00
210.	2200.	54300	Supplies-Vehicle Parts & Supplies	202.18	4,000.00
210.	2200.	59000	Refunds- Miscellaneous	0.00	500.00
100.	9800.	59130	Reimburse-Shared Expense (Township Contracts)	10,000.00	10,000.00
<b>Sub-Total Other</b>				<b>392,723.18</b>	<b>454,200.00</b>
<b>Total Operating Expenses</b>				<b>1,934,174.04</b>	<b>2,160,169.50</b>

**2023 CONTRACT FOR FIRE/EMS**

**2024 FIRE & EMS PROJECTED SERVICE CONTRACT COSTS WITH CONTRACTED ENTITIES  
USING - 2023 ACTUAL EXPENSES & REVENUES & 2024 BUDGETED EXPENSES & REVENUES**

Working Draft

<u>FUND</u>	<u>DEPT</u>	<u>ACCT</u>		<u>2023</u> <u>ACTUAL</u> <u>EXPENSES</u>	<u>2024</u> <u>APPROVED</u> <u>BUDGET</u>
			<i>No/CO = No Prior Year Carryover In Totals-&gt;</i>		
			<b><u>Major Large Equipment Capital Items:</u></b>		
			<b><u>(Part of Annual Fixed Allocation):</u></b>		
242.	2200.	57000	Machinery and Equipment (Major Capital Items)	105,773.07	95,400.00
242.	2200.	43000	Less: Rev.Offset - Grants, Donations, Etc.	-88,000.00	-84,000.00
			Net Machinery & Equipment Costs-Major Capital Items	17,773.07	11,400.00
			<b><u>Other Capital Items-Not Part of Major Large Equipment:</u></b>		
210.	2200.	57000	Machinery and Equipment	6,951.34	8,500.00
242.	2200.	57000	Machinery and Equipment	105,773.07	95,400.00
242.	2200.	57200	Buildings and Improvements	0.00	0.00
400.	2200.	57000	Machinery and Equipment	21,130.06	46,000.00
400.	2200.	57200	Buildings and Improvements	9,994.71	10,000.00
			<b>Total Capital Imp.(Less Grants on Major Items)</b>	<b>161,622.25</b>	<b>171,300.00</b>
			<b>Total-2200 Fire &amp; EMS/Safety Services (All Operating and Capital Expenditures)</b>	<b>2,095,796.29</b>	<b>2,331,469.50</b>
			<b><u>EXPENDITURE ADJUSTMENTS:</u></b>		
242.	2200.	57000	LESS: Net Major Cap.Exp.By Year in 242 Fd.(Large Eq.)	(105,773.07)	(95,400.00)
210.	2200.	53430	LESS: Township EMS Revenue Payments	(56,221.26)	(55,000.00)
			LESS: Non-EMS Adjustments		
			ADD: Annualized Capital Fixed Amt.(Large Equip.)	105,000.00	110,000.00
			<b>Sub-Total Expense Adjustments</b>	<b>(56,994.33)</b>	<b>-40,400.00</b>
			<b>Net Allocated Expenses Per Contract</b>	<b>2,038,801.96</b>	<b>2,291,069.50</b>
			<b><u>REVENUE ADJUSTMENTS (Not Previously Listed):</u></b>		
100.	2200.	44350	LESS: Donations in 100 General Fund	0.00	(500.00)
100.	2200.	44400	LESS: Training Facility Fee -Fire/Safety Services	(720.00)	(1,000.00)
100.	2200.	47010	LESS: Misc.Fire Revenue in 100 General Fund	(22,918.65)	(10,000.00)
100.	0000.	49650	LESS: Reimb.Fire 180 kWh Tax Fd.to 100 Gen.Fd.	(64,968.41)	(77,500.00)
210.	2200.	43010	LESS: Federal CARES Act Receipts	0.00	0.00
210.	2200.	43100	LESS: State Grants in 210 EMS Transport Fund	(906.58)	(5,000.00)
210.	2200.	44350	LESS: Donations in 210 EMS Transport Fund	0.00	0.00
210.	2200.	45600	LESS: Court-Collections Cost Recovery	(293.00)	0.00
242.	2200.	43100	LESS: State Grants in 242 Fire Equip.Fund	0.00	0.00
242.	2200.	44350	LESS: Donations in 242 Fire Equip.Fund	(13,985.00)	(1,000.00)
242.	0000.	47200	LESS: Interest Posted to the 242 Fire Equip.Fund	(15,179.83)	(5,000.00)
242.	0000.	49000	LESS: Sale of Assets in the 242 Fire Equip.Fund	0.00	0.00
400.	2200.	43100	LESS: BWC Grant for Power Cots	0.00	0.00
400.	2200.	44351	LESS: Donations in 400 CIP Fund	0.00	0.00
400.	2200.	47010	LESS: Misc.Fire Revenue in 400 CIP Fund	0.00	0.00
			<b>Sub-Total Revenue Adjustments</b>	<b>(118,971.47)</b>	<b>(100,000.00)</b>
			<b>* NET FIRE &amp; EMS EXPENDITURES for CONTRACT BILLING</b>	<b>1,919,830.49</b>	<b>2,191,069.50</b>

**2023 CONTRACT FOR FIRE/EMS**

**2024 FIRE & EMS PROJECTED SERVICE CONTRACT COSTS WITH CONTRACTED ENTITIES  
USING - 2023 ACTUAL EXPENSES & REVENUES & 2024 BUDGETED EXPENSES & REVENUES**

Working Draft

<u>FUND DEPT</u>	<u>ACCT</u>	<u>No/CO = No Prior Year Carryover In Totals-&gt;</u>	<u>2023 ACTUAL EXPENSES</u>	<u>2024 APPROVED BUDGET</u>
<b>DIST% ALLOCATED COSTS BY ENTITY</b>				
			<b><u>44.18%</u></b>	<b><u>44.18%</u></b>
100.00%	<b>FIRE COSTS ALLOCATED AT (44.18%)</b>		<b>848,181.11</b>	<b>968,014.51</b>
75.68%	City of Napoleon		641,903.47	732,593.38
1.68%	Freedom Township		14,249.44	16,262.64
13.15%	Napoleon Township (w/Sec.30 & 31)		111,535.82	127,293.91
9.49%	Harrison Township		80,492.39	91,864.58
			<b><u>55.82%</u></b>	<b><u>55.82%</u></b>
100.00%	<b>EMS COSTS ALLOCATED AT (55.82%)</b>		<b>1,071,649.38</b>	<b>1,223,054.99</b>
77.52%	City of Napoleon		830,742.60	948,112.23
1.41%	Henry Co.South Amb.Dist. (Frmly.Flatrock Twn.)		15,110.26	17,245.08
1.61%	Freedom Township		17,253.56	19,691.19
11.72%	Napoleon Township (w/Sec.30 & 31)		125,597.31	143,342.04
5.72%	Harrison Township		61,298.34	69,958.75
2.02%	Florida Village		21,647.32	24,705.71
	<b>NET - TOTAL SHARED COST OVERALL (100.00%)</b>		<b>1,919,830.49</b>	<b>2,191,069.50</b>
76.7071%	City of Napoleon (Includes Henry Co. Hospital)		<b><u>1,472,648.07</u></b>	<b><u>1,680,705.61</u></b>
	Net Shared Costs Allocated to Contracts->		<b><u>447,184.42</u></b>	<b><u>510,363.89</u></b>
0.7871%	Henry Co.South Amb.Dist. (Frmly.Flatrock Twn.)		15,110.26	17,245.08
1.6409%	Freedom Township		31,503.00	35,953.83
12.3518%	Napoleon Township (w/Sec.30 & 31)		237,133.13	270,635.95
7.3856%	Harrison Township		141,790.73	161,823.33
1.1276%	Florida Village		21,647.32	24,705.71
<b>CAPITAL REVENUE ALLOCATION FOR TOWNSHIPS (in total payment listed above)</b>				
	Total Annual Capital Per Agreement		<b>115,000.00</b>	<b>110,000.00</b>
80.00%	City Share of Annual Capital Per Agreement		92,000.00	88,000.00
20.00%	Net Township Share of Annual Capital Per Agreement		23,000.00	22,000.00
	<b>TOWNSHIP ALLOCATION OF NET CAPITAL</b>		<b>23,000.00</b>	<b>22,000.00</b>
	<u>(Based on % Of Net Shared Cost to Township)</u>			
3.3800%	Henry Co.South Amb.Dist. (Frmly.Flatrock Twn.)		777.40	743.60
7.0400%	Freedom Township		1,619.20	1,548.80
53.0300%	Napoleon Township		12,196.90	11,666.60
31.7100%	Harrison Township		7,293.30	6,976.20
4.8400%	Florida Village		1,113.20	1,064.80
100.00%	(Revenue Amount Allocated to 242 Fire Eq. Fund)		<b>23,000.00</b>	<b>22,000.00</b>
			=====	=====
			<b>2024</b>	<b>2025</b>
			<b>Projected</b>	<b>Projected</b>
			<b>Quarterly*</b>	<b>Quarterly**</b>
0.7871%	Henry Co.South Amb.Dist. (Frmly.Flatrock Twn.)		3,777.57	4,311.27
1.6409%	Freedom Township		7,875.75	8,988.46
12.3518%	Napoleon Township (w/Sec.30 & 31)		59,283.28	67,658.99
7.3856%	Harrison Township		35,447.68	40,455.83
1.1276%	Florida Village		5,411.83	6,176.43

\*Used 2023 Actual for 2024 Projected  
\*\* Used 2024 Budget for 2025 Projected



Filter statement

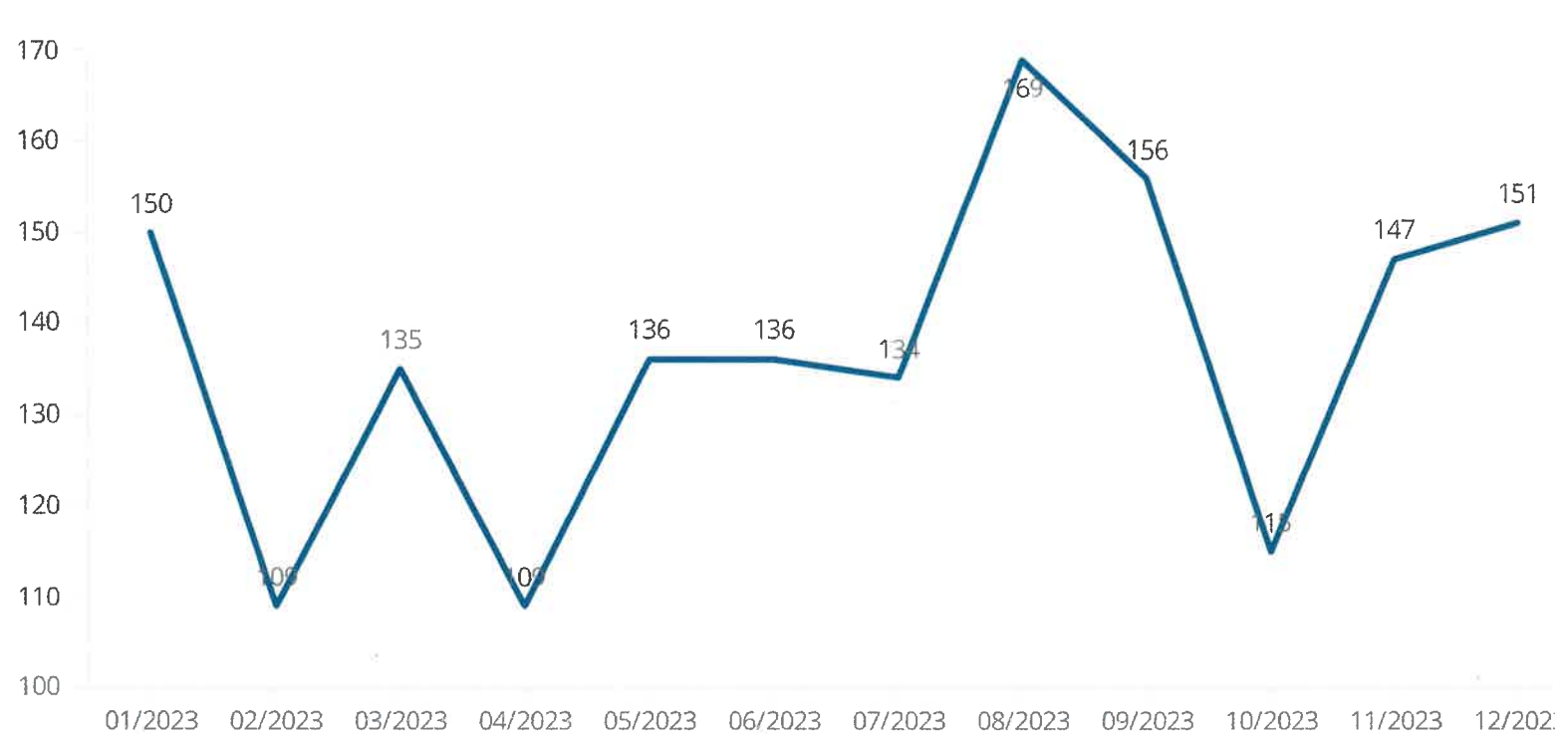
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# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**1,647**

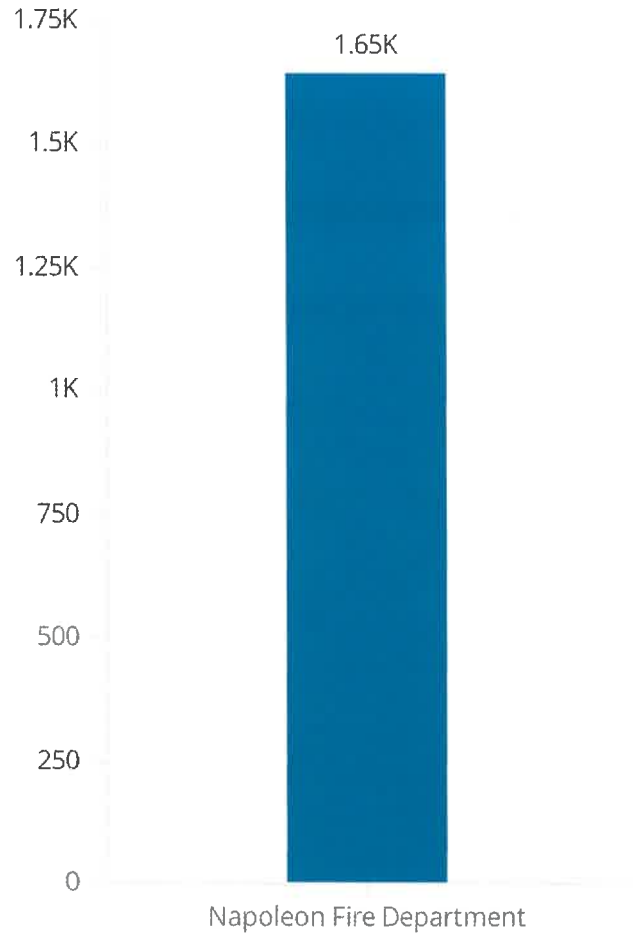
Incident Count by Month



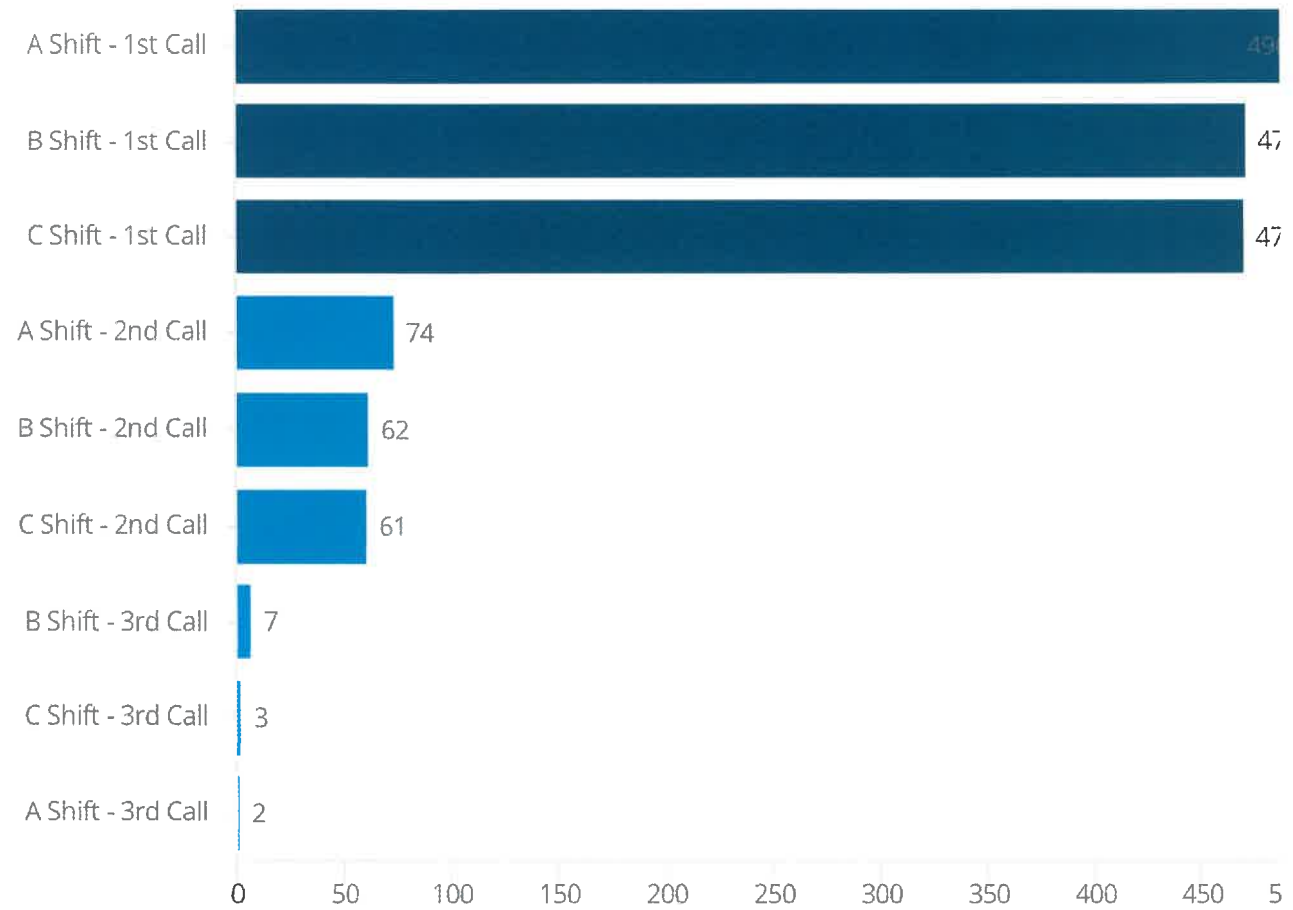
Filter statement

Filters Alarm Date Range 1/1/23 to 12/31/23 Is Active Exclude: false

Incident Count by Station



Incident Count by Shift





**CITY OF NAPOLEON**

Incident Type Group	Type Code	Incident Type	Incident Count
100 - Fire	111	Building fire	5
	112	Fires in structure other than in a building	1
	113	Cooking fire, confined to container	4
	121	Fire in mobile home used as fixed residence	1
	131	Passenger vehicle fire	3
	132	Road freight or transport vehicle fire	2
	138	Off-road vehicle or heavy equipment fire	1
	142	Brush or brush-and-grass mixture fire	6
	151	Outside rubbish, trash or waste fire	7
	154	Dumpster or other outside trash receptacle fire	1
	161	Outside storage fire	1
	171	Cultivated grain or crop fire	2
	1111	Building Fire - Offensive Attack	7
	1112	Building Fire - Defensive Attack	2
1113	Building Fire - Transitional Attack	1	
200 - Overpressure Rupture, Explosion, Overheat	251	Excessive heat, scorch burns with no ignition	2
300 - Rescue & EMS	311	Medical assist, assist EMS crew	8
	321	EMS call, excluding vehicle accident with injury	1,184
	321A	EMS call, not requiring engine response	23
	322	Motor vehicle accident with injuries	47
	322A	MVA with injuries extrication required	1
	322B	MVA with injuries no extrication required	1
	323	Motor vehicle/pedestrian accident (MV Ped)	1
	324	Motor vehicle accident with no injuries.	25
	341	Search for person on land	1
	352	Extrication of victim(s) from vehicle	1
	365	Watercraft rescue	2
	381	Rescue or EMS standby	1
	3221	MVA with injuries extrication required	4
	3222	MVA with injuries no extrication required	5

400 - Hazardous Condition	411	Gasoline or other flammable liquid spill	3
	412	Gas leak (natural gas or LPG)	7
	422	Chemical spill or leak	2
	423	Refrigeration leak	1
	424	Carbon monoxide incident	5
	442	Overheated motor	2
	443	Breakdown of light ballast	1
	445	Arcing, shorted electrical equipment	5
500 - Service Call	531	Smoke or odor removal	1
	542	Animal rescue	2
	551	Assist police or other governmental agency	3
	552	Police matter	2
	553	Public service	9
	554	Assist invalid	123
	571	Cover assignment, standby, moveup	3
600 - Good Intent Call	611	Dispatched & canceled en route	31
	622	No incident found on arrival at dispatch address	34
	631	Authorized controlled burning	2
	651	Smoke scare, odor of smoke	6
	652	Steam, vapor, fog or dust thought to be smoke	2
	661	EMS call, party transported by non-fire agency	1
	671	HazMat release investigation w/no HazMat	8

700 - False Alarm	714	Central station, malicious false alarm	1
	715	Local alarm system, malicious false alarm	1
	731	Sprinkler activation due to malfunction	2
	733	Smoke detector activation due to malfunction	5
	734	Heat detector activation due to malfunction	1
	735	Alarm system sounded due to malfunction	5
	736	CO detector activation due to malfunction	1
	741	Sprinkler activation, no fire - unintentional	3
	743	Smoke detector activation, no fire - unintentional	11
	744	Detector activation, no fire - unintentional	2
	745	Alarm system activation, no fire - unintentional	8
	746	Carbon monoxide detector activation, no CO	5
	900 - Special Incident	911	Citizen complaint

1,649

Filter statement

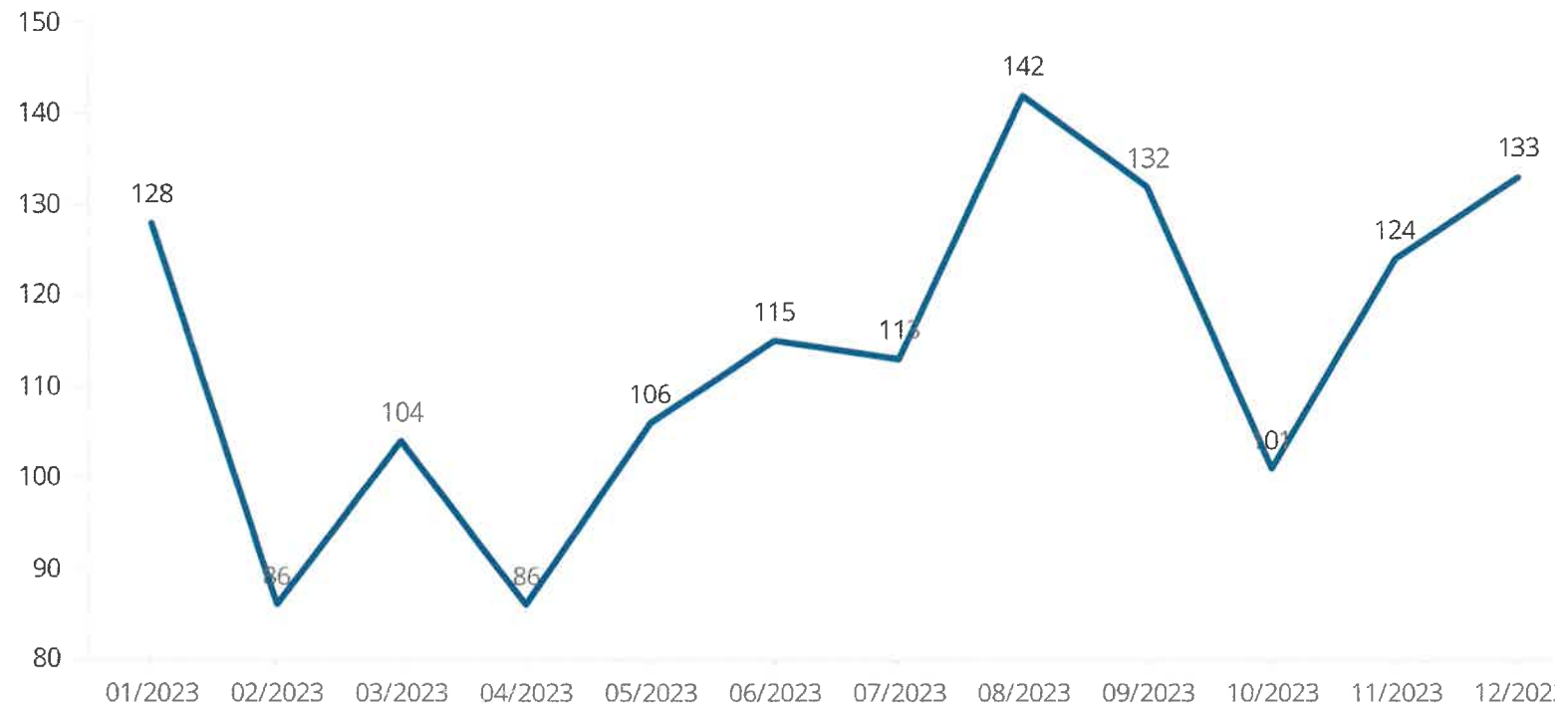
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# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**1,370**

Incident Count by Month





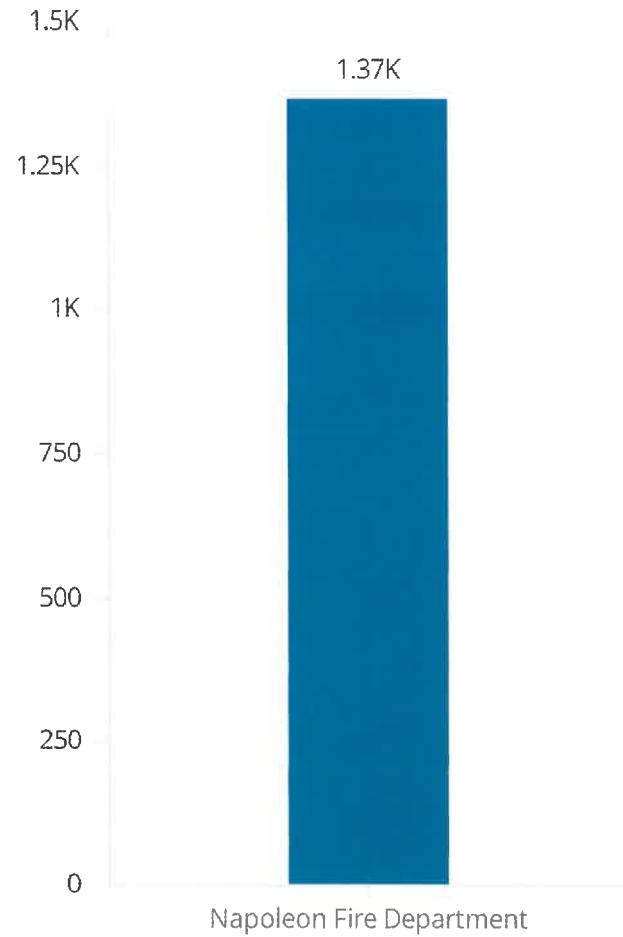
# Fire Incident Count

Feb 19, 2024 10:25:36 AM [Fire Incidents](#)

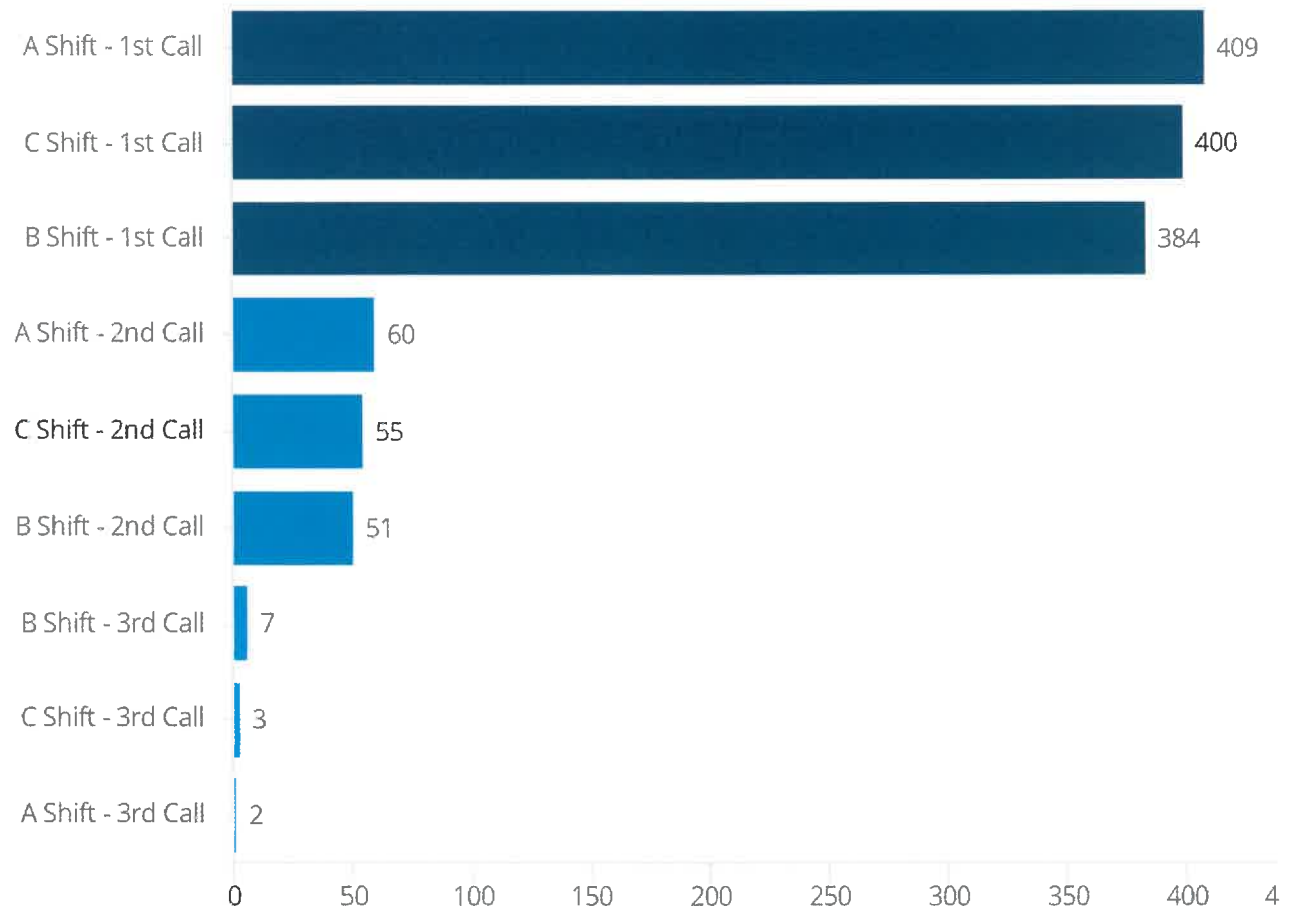
Filter statement

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Incident Count by Station



Incident Count by Shift



Filter statement:

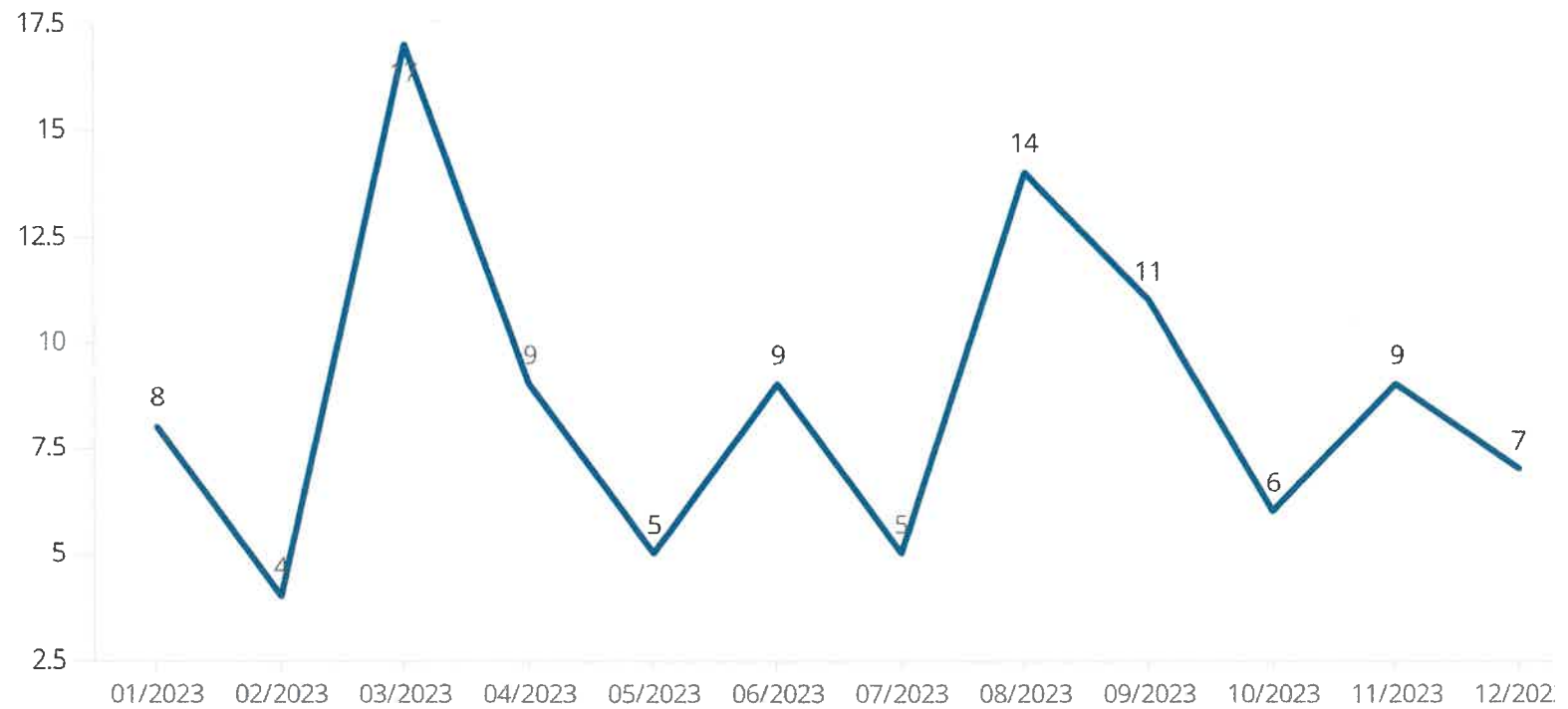
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# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**104**

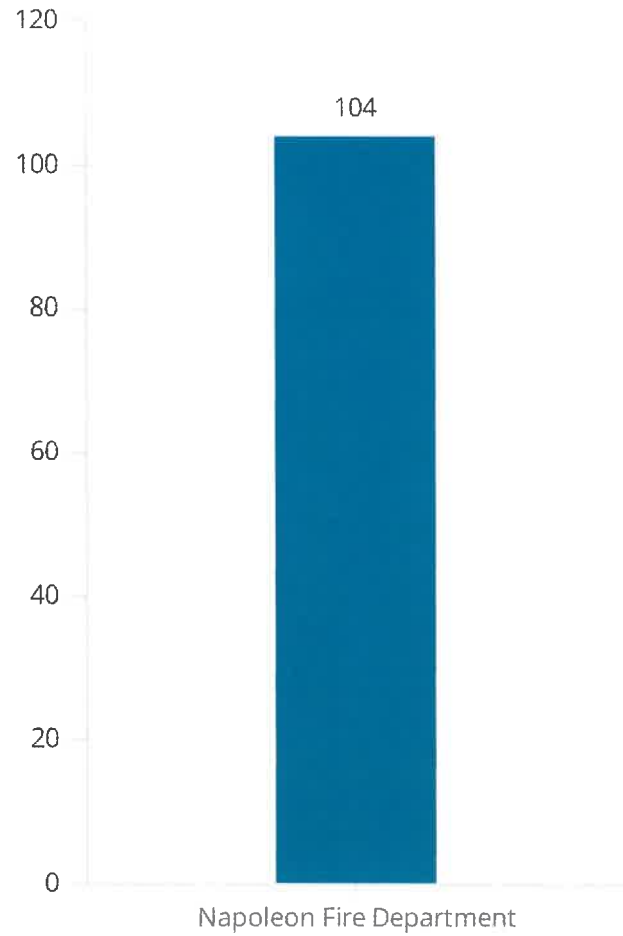
Incident Count by Month



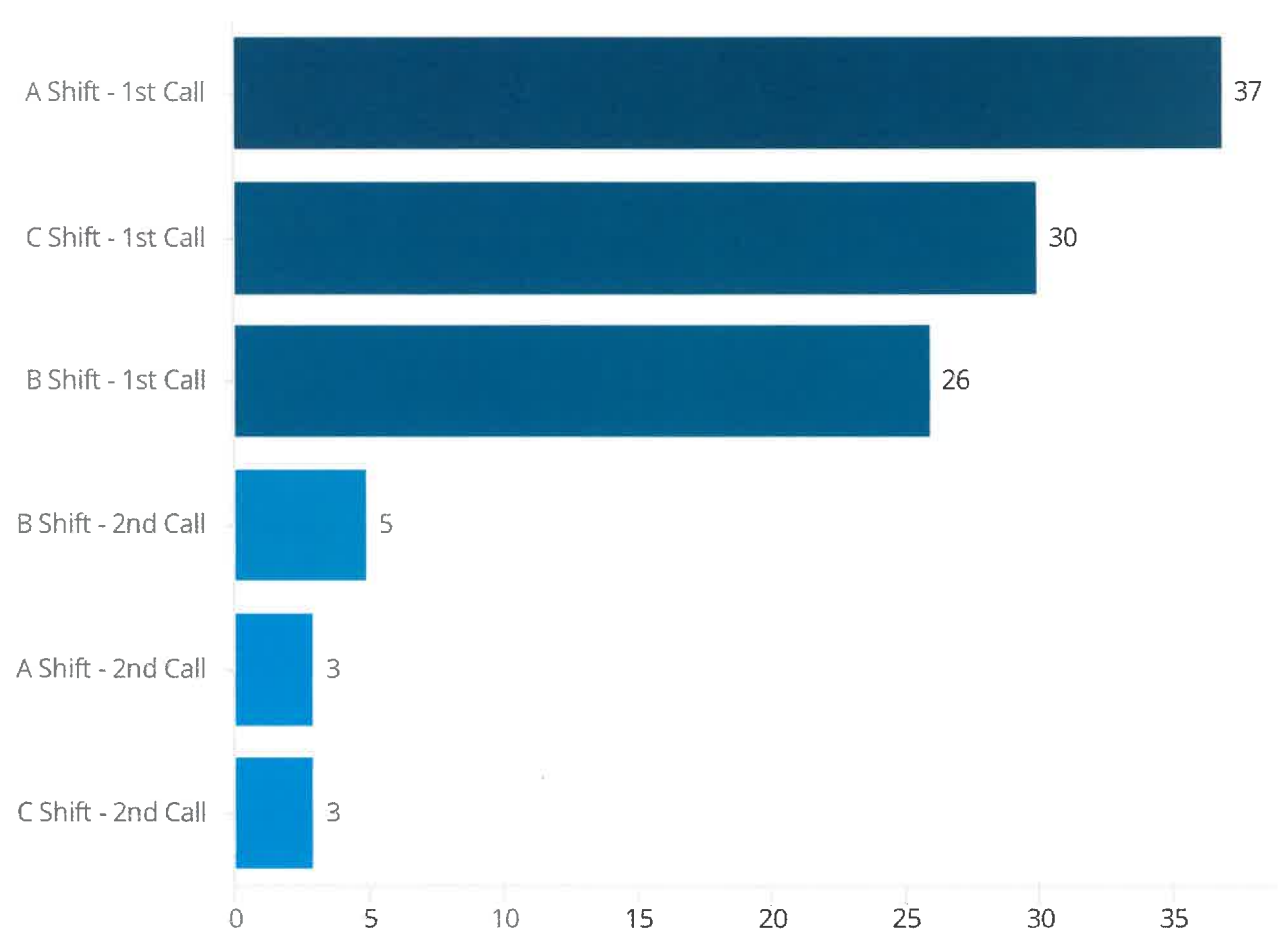
Filter statement

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Incident Count by Station



Incident Count by Shift



Filter statement

Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Harrison Township

# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**51**

Incident Count by Month

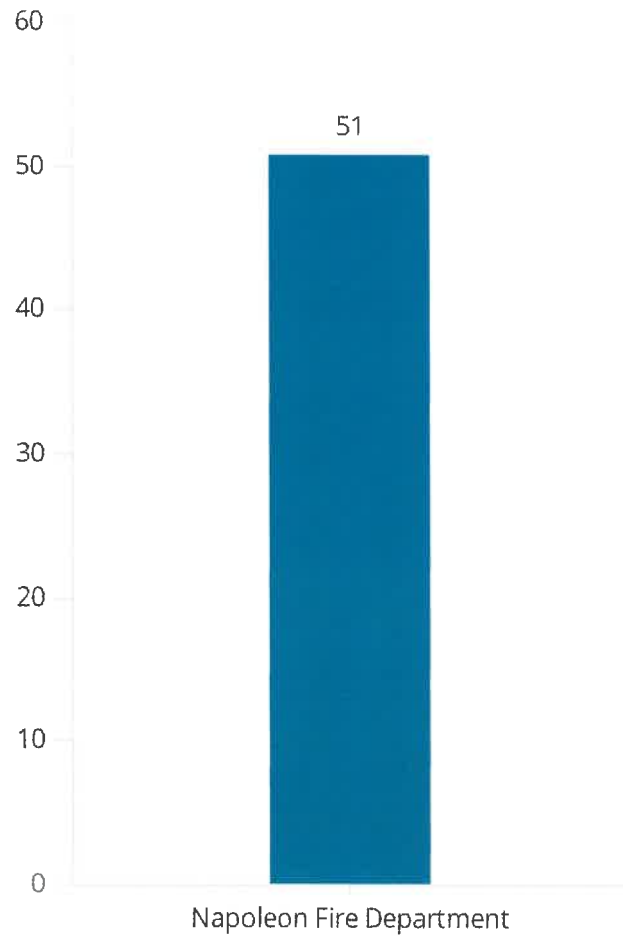




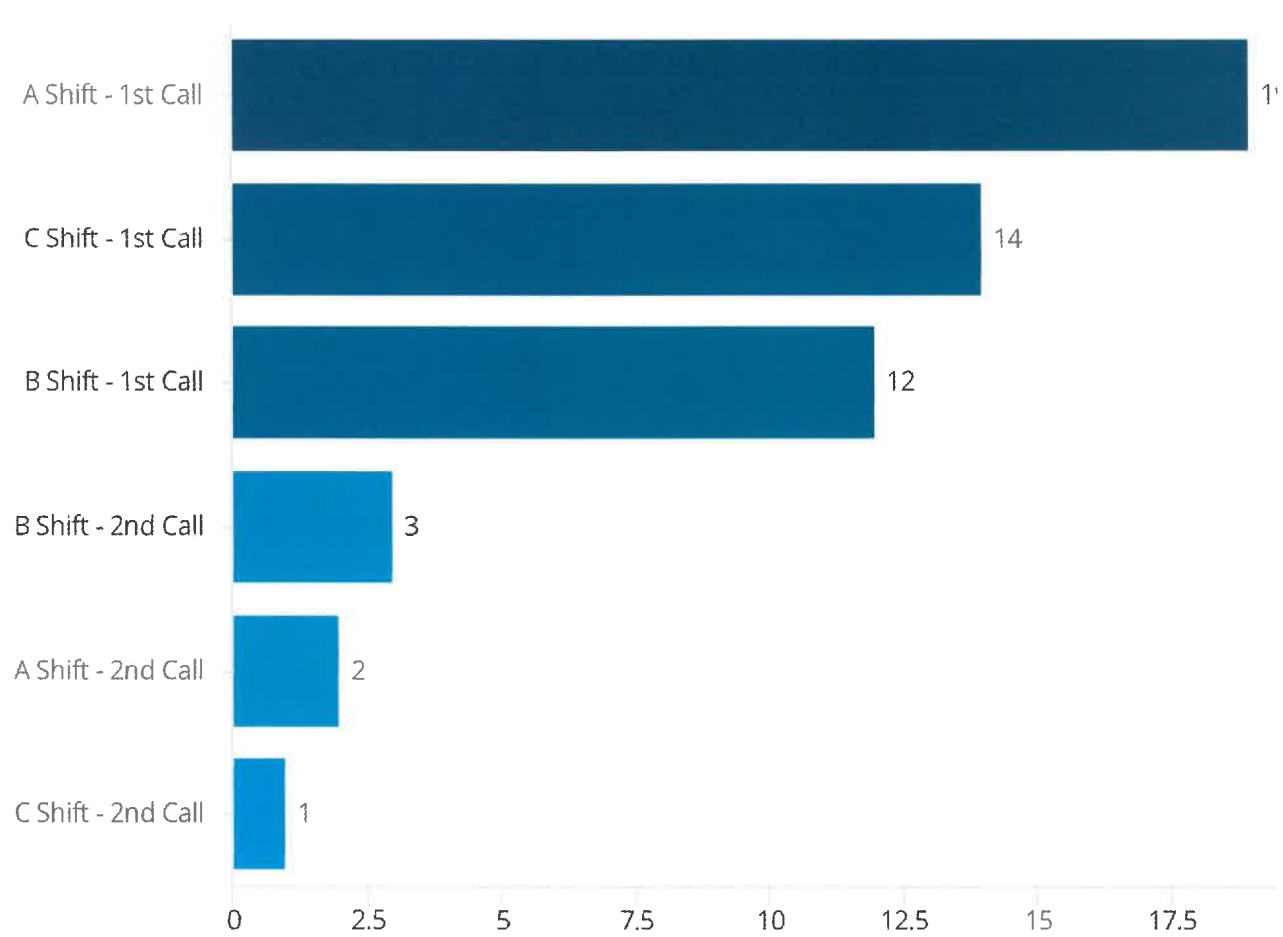
Filter statement

Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Harrison Township

Incident Count by Station



Incident Count by Shift



Filter statement

Filters: **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Freedom Township

# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**14**

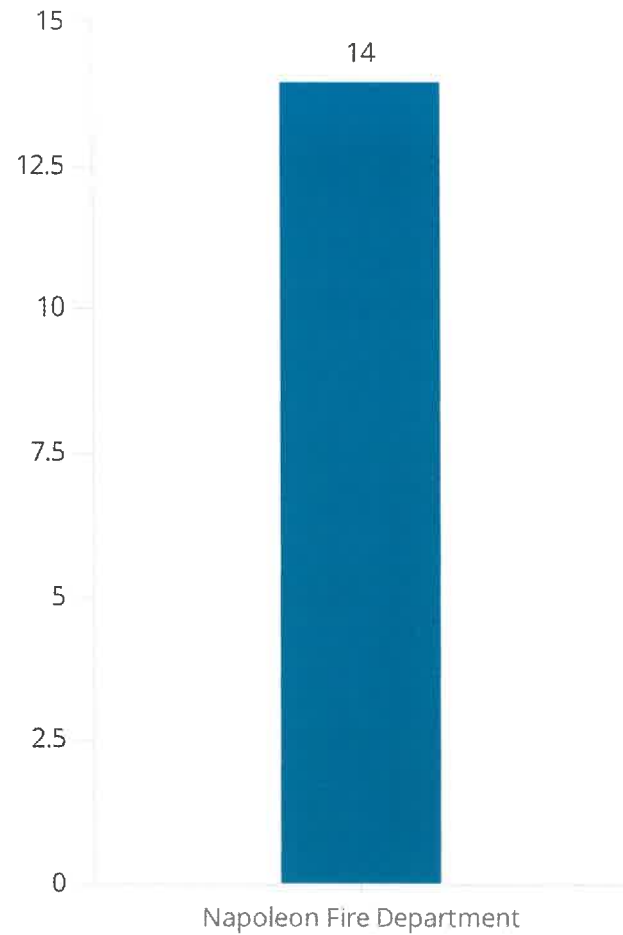
Incident Count by Month



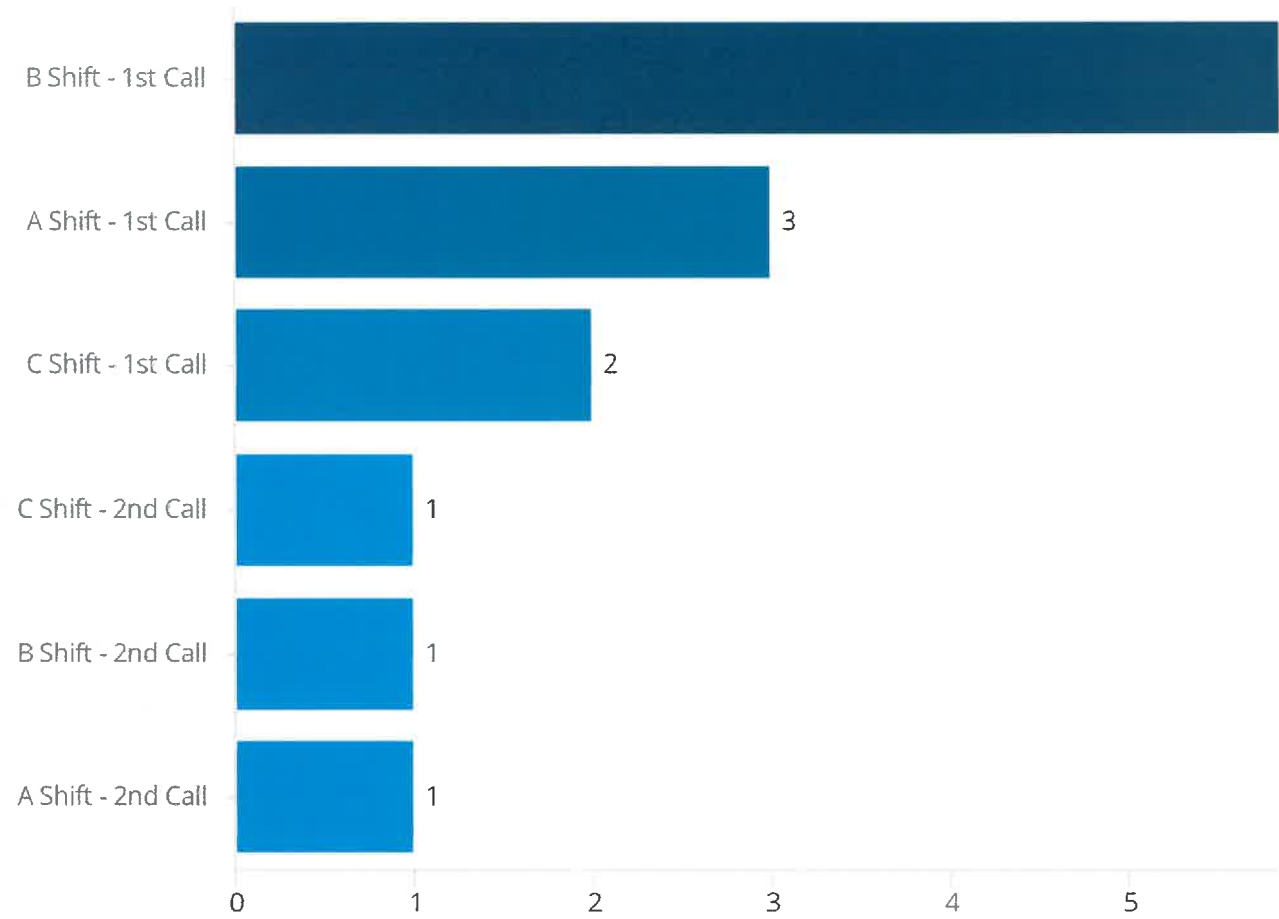
Filter statement

Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Freedom Township

Incident Count by Station



Incident Count by Shift



Filter statement

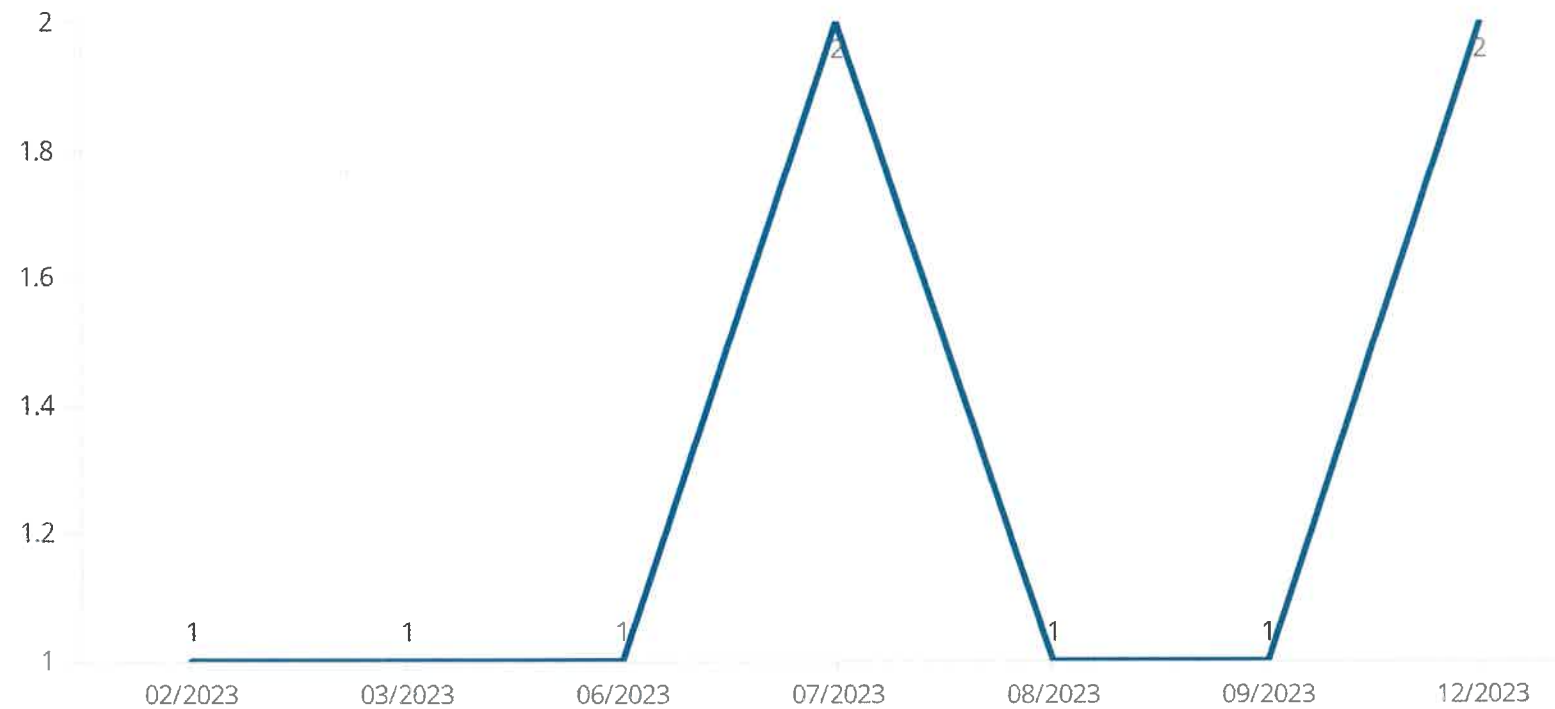
Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Village of Florida

# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**9**

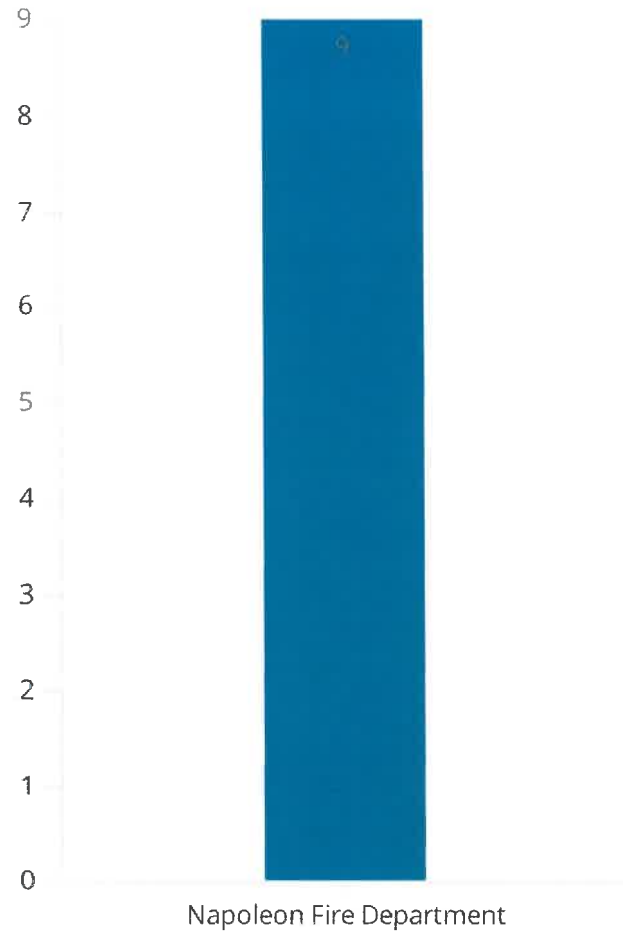
Incident Count by Month



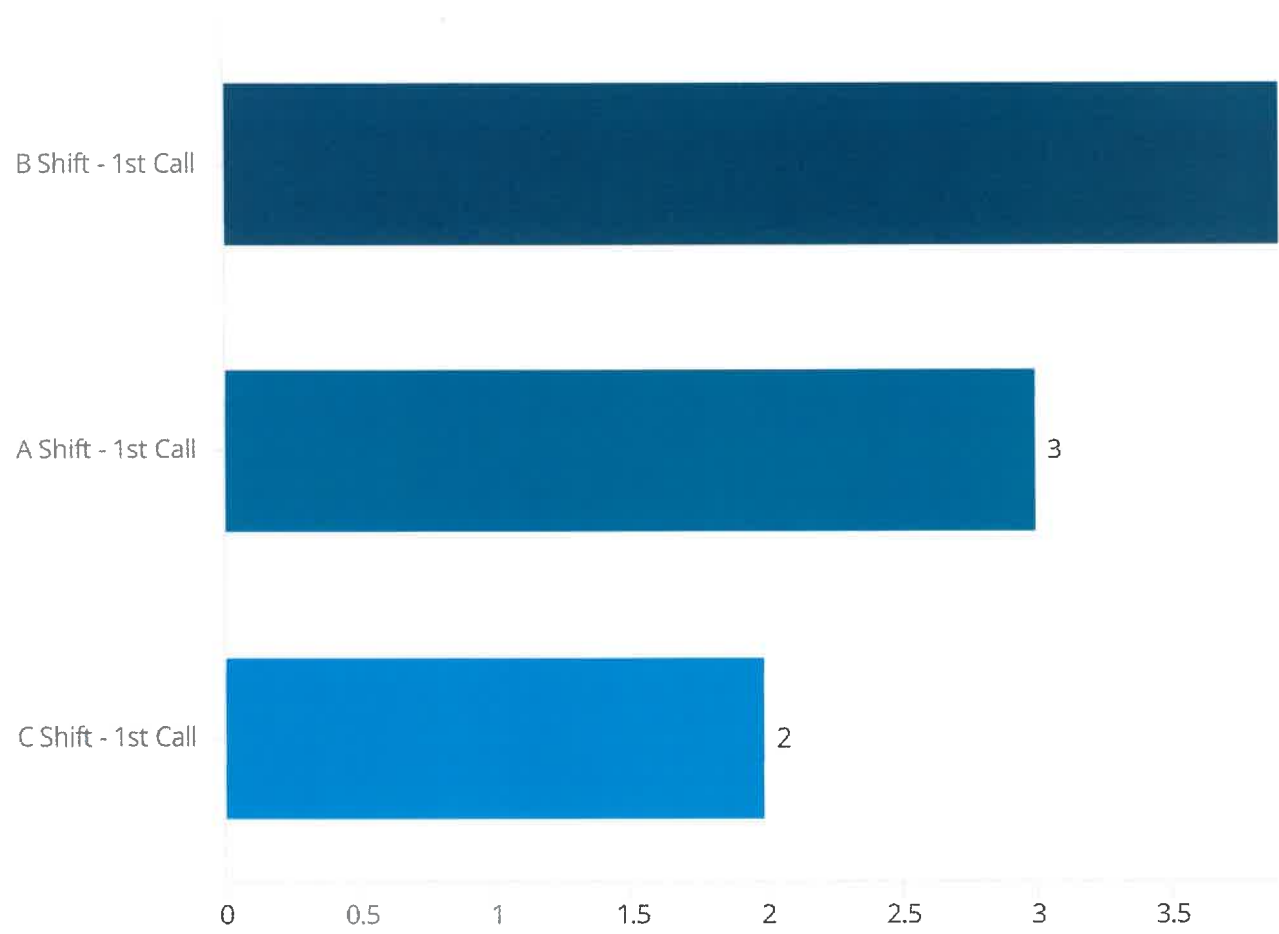
Filter statement

Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Village of Florida

Incident Count by Station



Incident Count by Shift



Filter statement

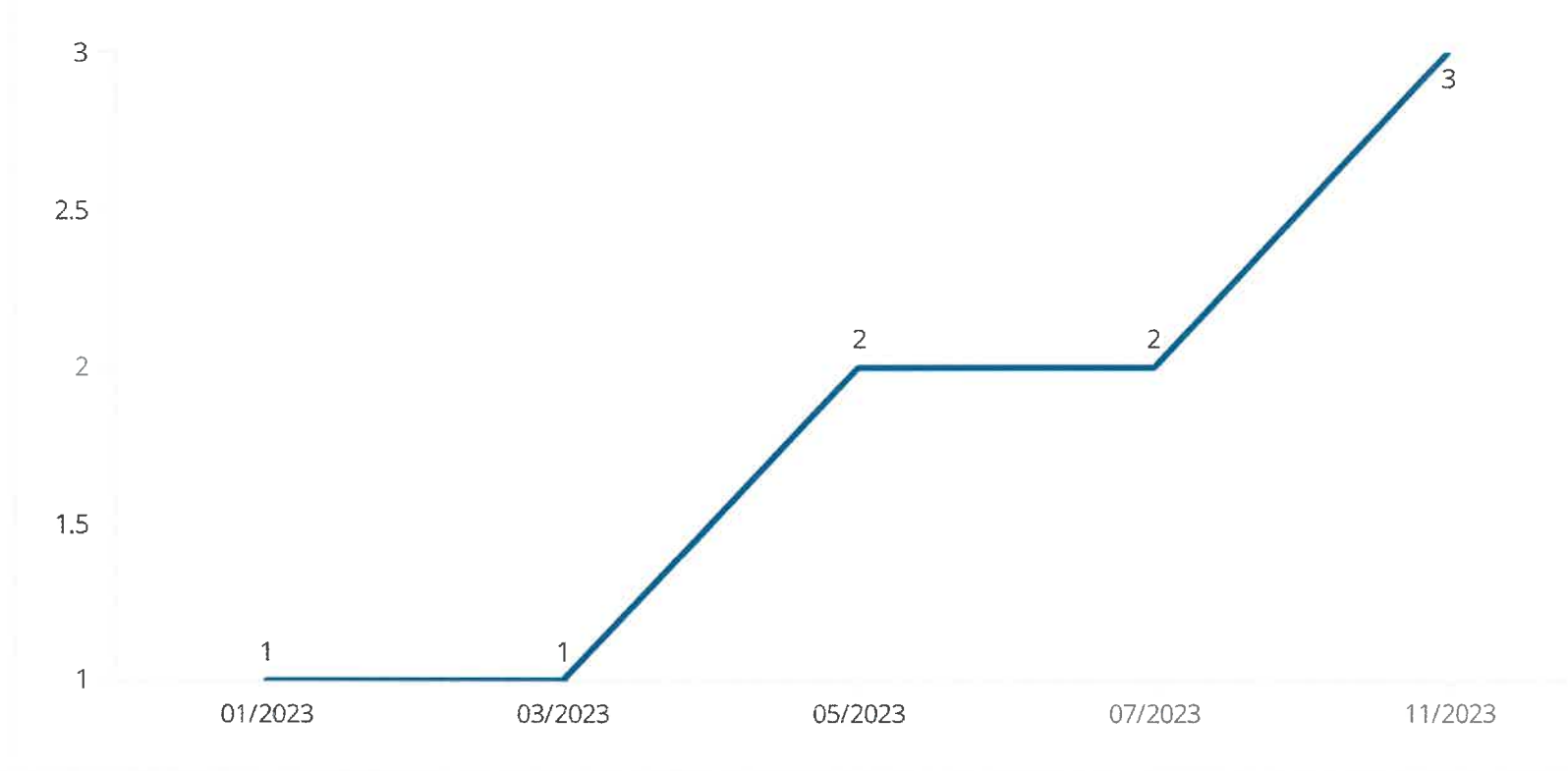
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# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**9**

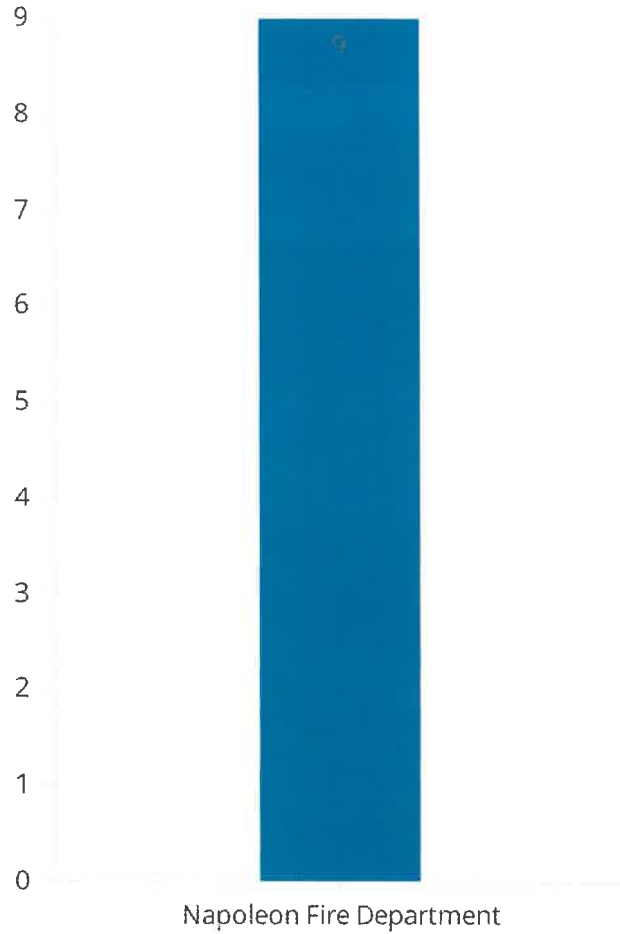
Incident Count by Month



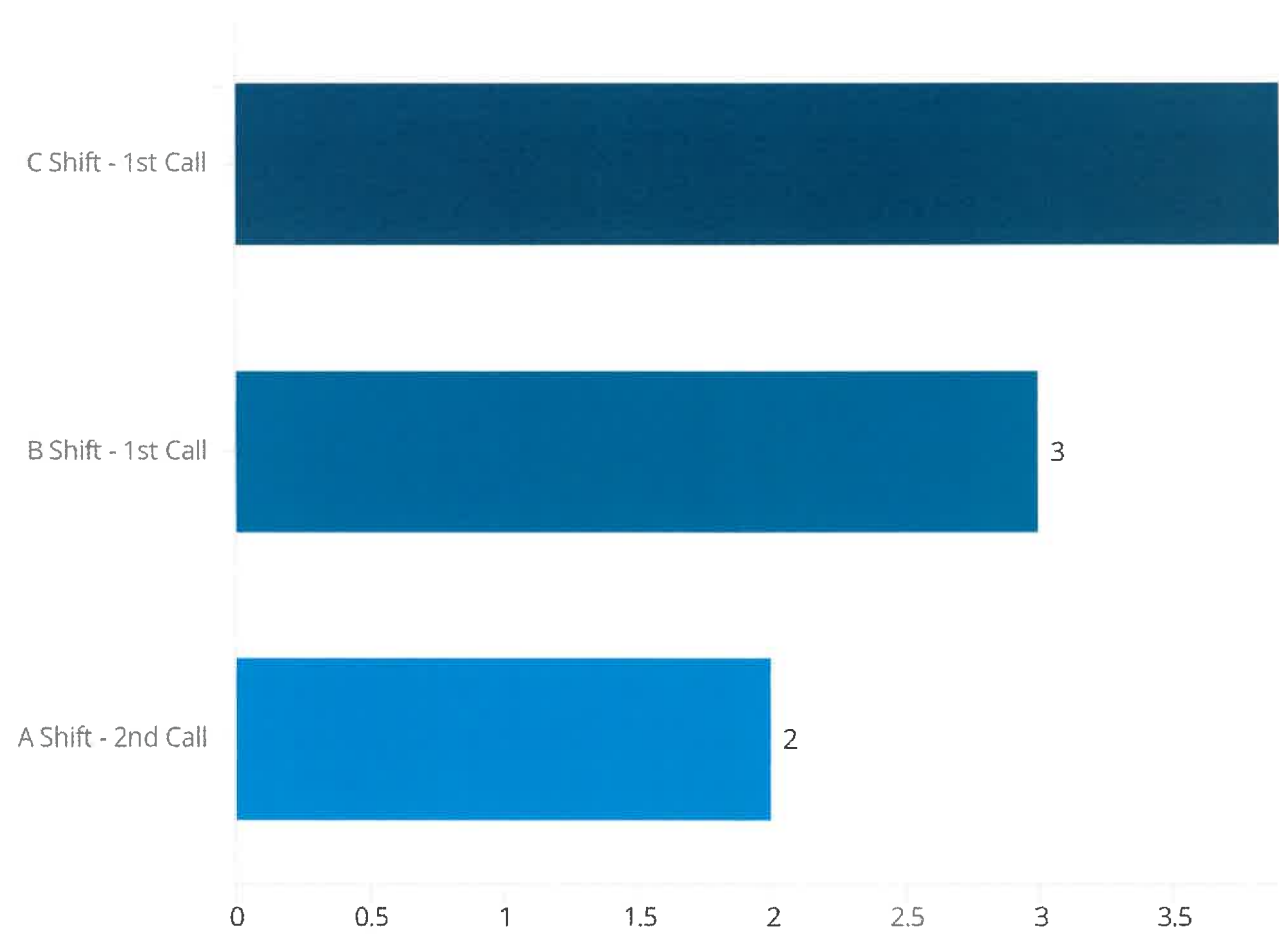
Filter statement

Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Active** Exclude: false | **District** Flatrock Township

Incident Count by Station



Incident Count by Shift



Filter statement

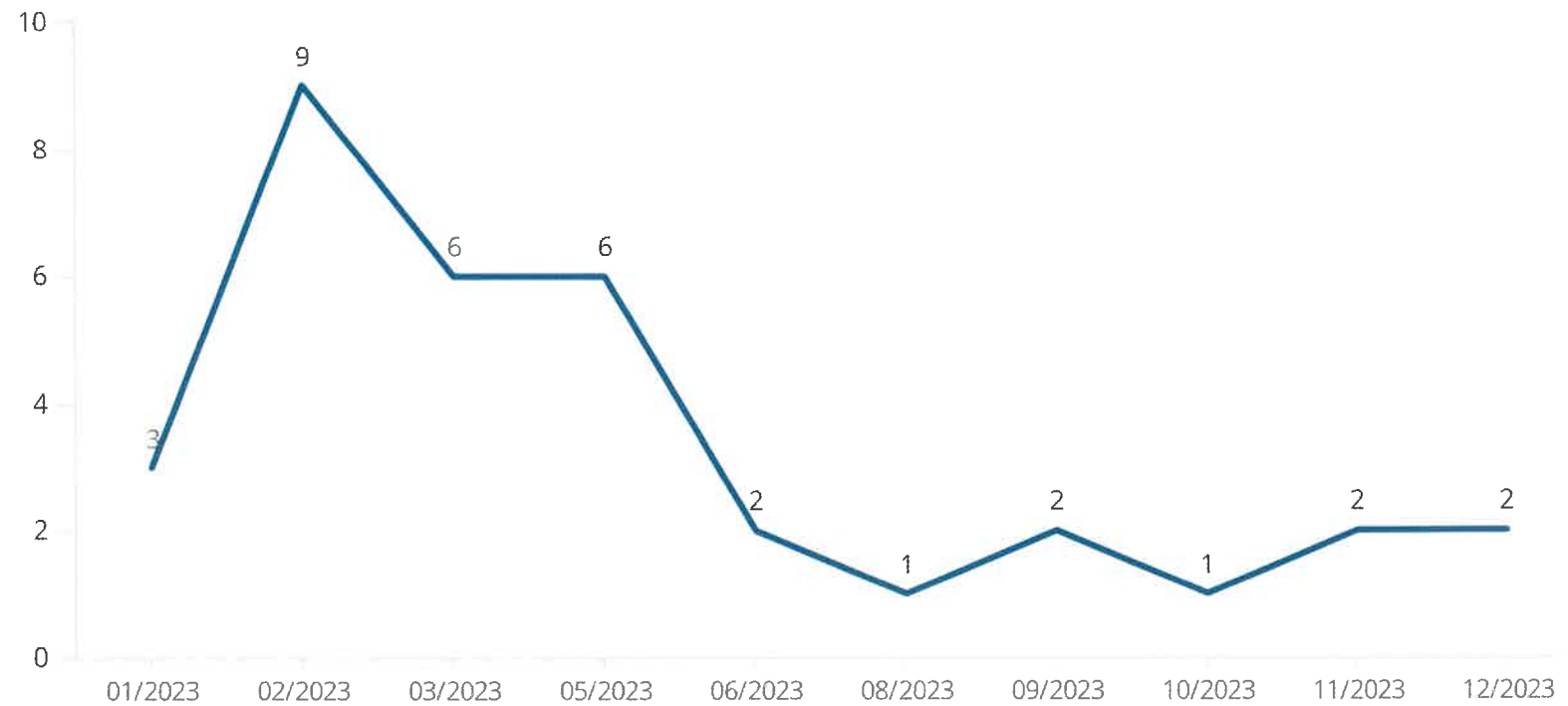
Filters **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Non Emergency Transport

# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**34**

Incident Count by Month

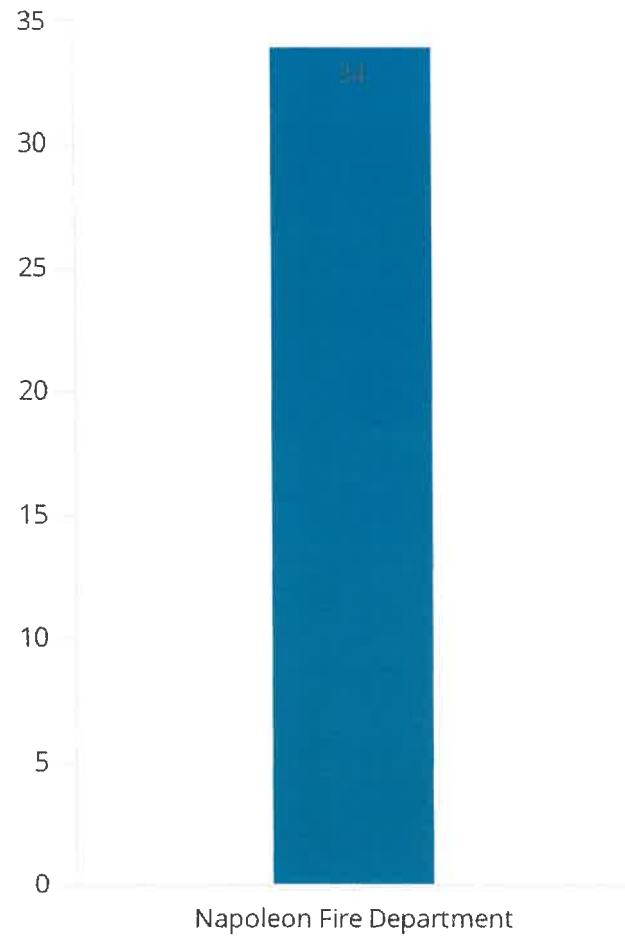




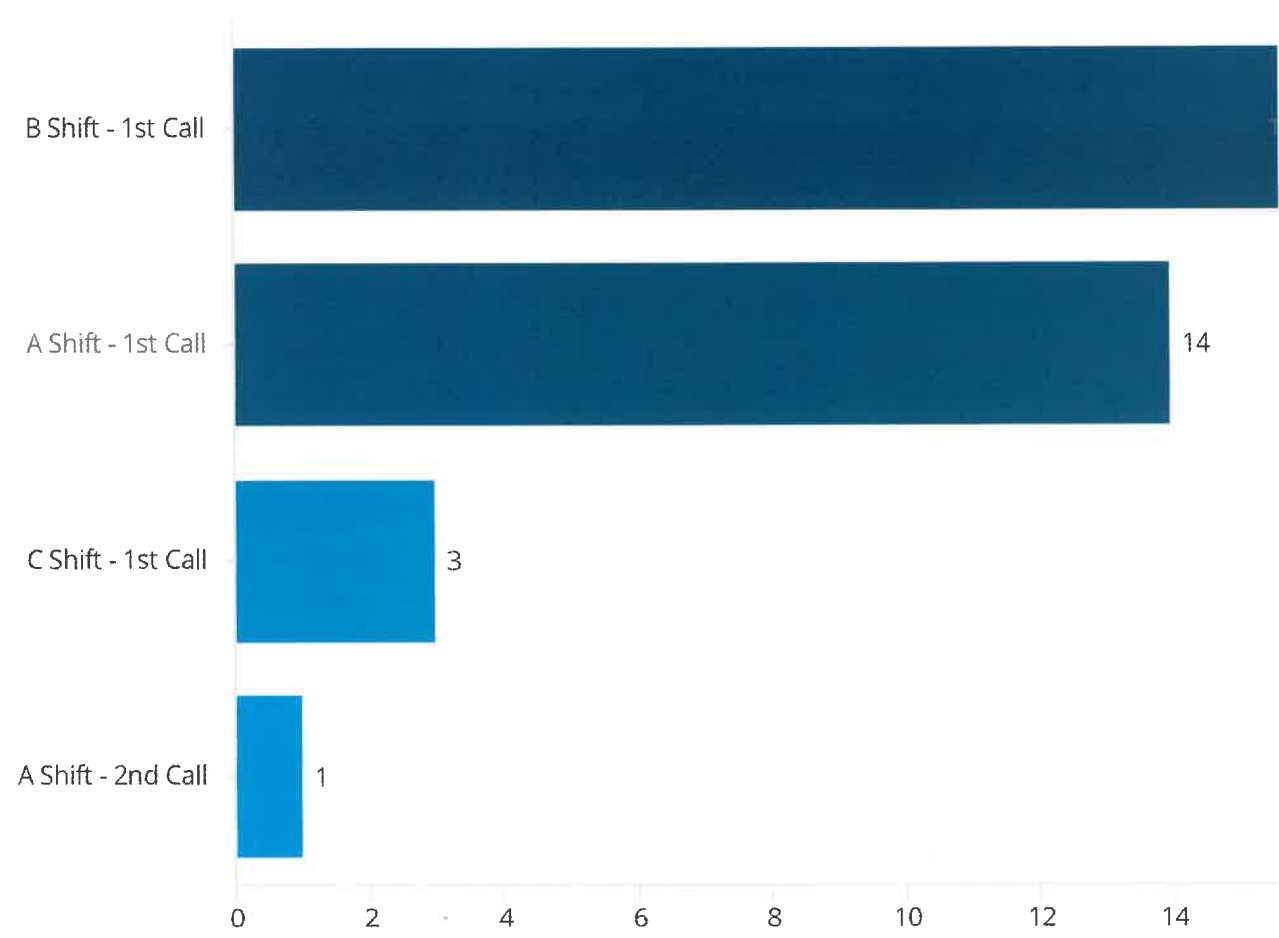
Filter statement

Filters: **Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** true | **District** Non Emergency Transport

Incident Count by Station



Incident Count by Shift



Filter statement

Filters

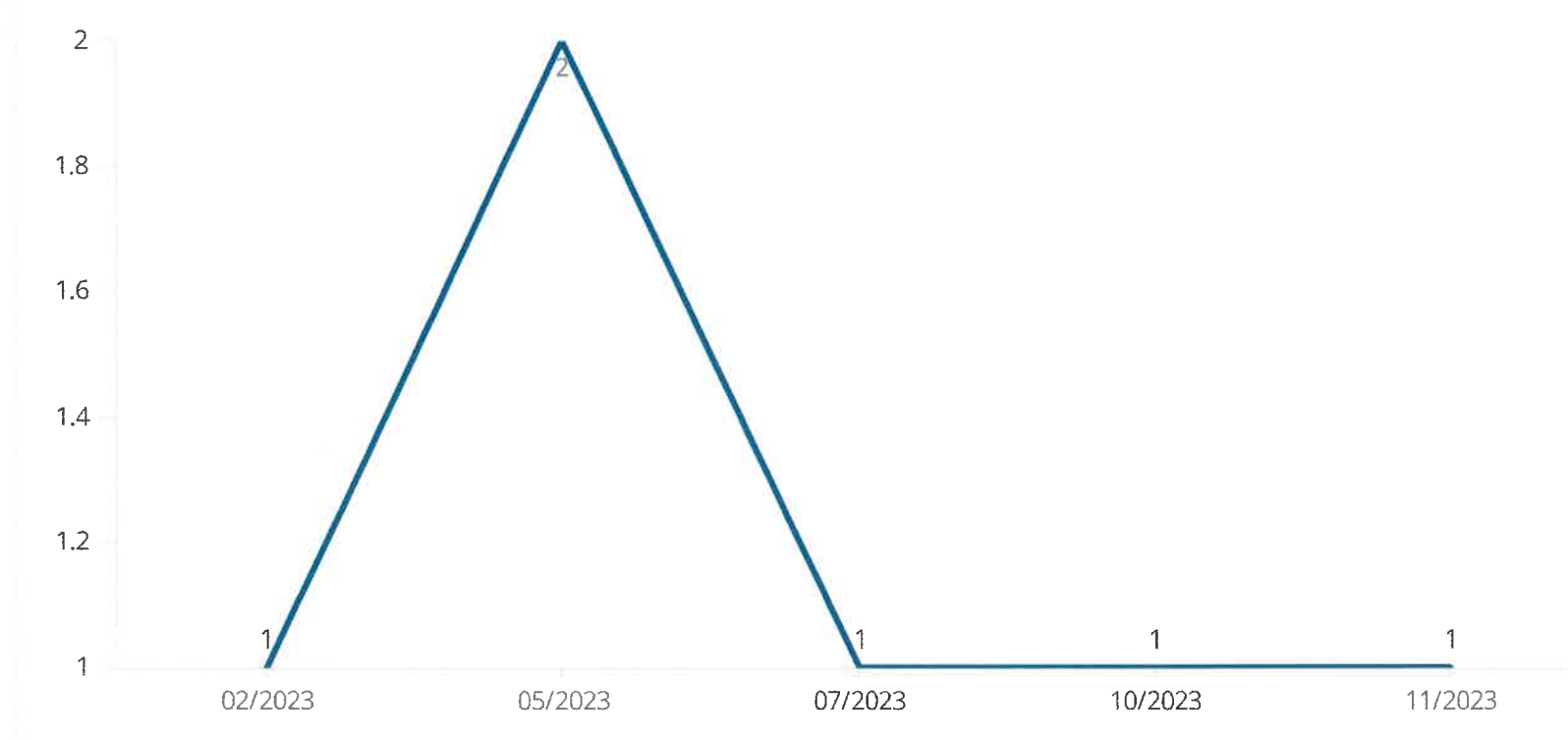
**Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** Exclude: false | **District** Flatrock Township, Freedom Township, Harrison Township, Village of Florida [1 more](#)

# Fire Incident Count

Count of Total Incidents

Count of Incidents  
**6**

Incident Count by Month

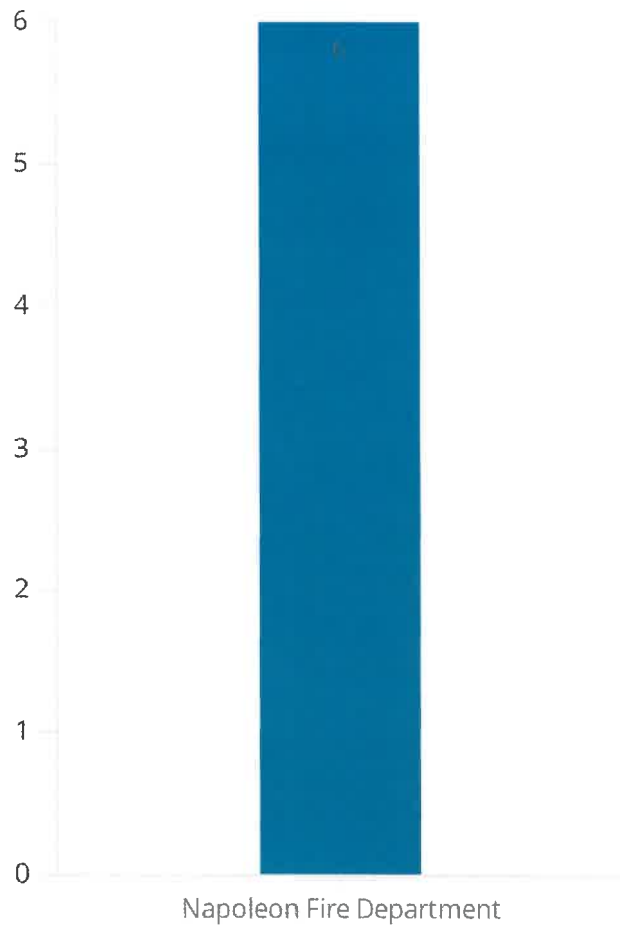


Filter statement

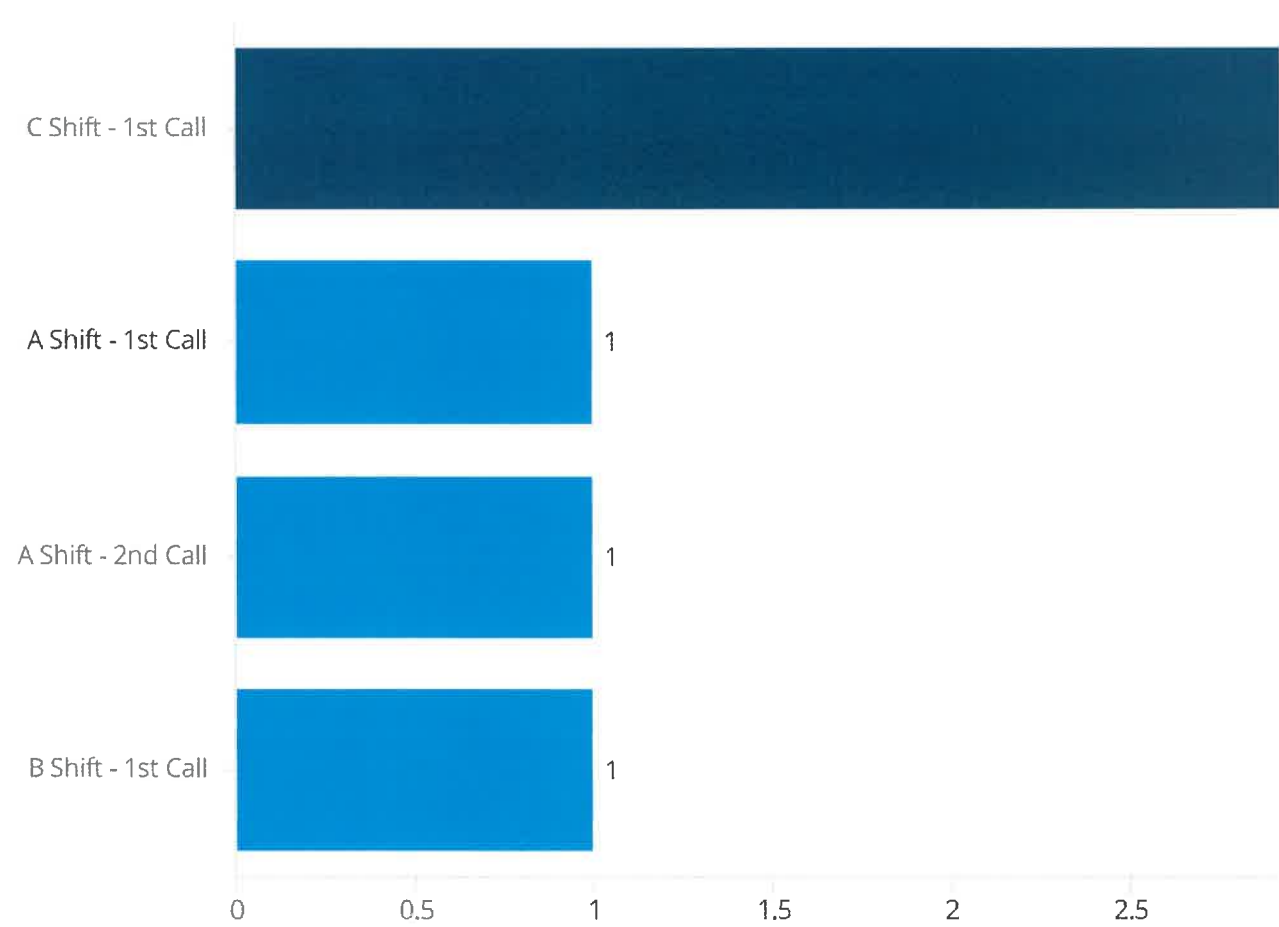
Filters

**Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** Exclude: false | **District** Flatrock Township, Freedom Township, Harrison Township, Village of Florida [1 more](#)

Incident Count by Station



Incident Count by Shift



Filter statement

Filters

**Alarm Date Range** 1/1/23 to 12/31/23 | **Is Locked** true | **Is Active** Exclude: false | **District** Flatrock Township, Freedom Township, Harrison Township, Village of Florida [1 more](#)

Mutual Aid Given

Incident Type	Incident Type Code	Incident Type Group	# of unique Incident Number		
			Flatrock Township	Freedom Township	Harrison Township
Building Fire - Offensive Attack	1111	100 - Fire		2	
Cultivated grain or crop fire	171	100 - Fire	1		
EMS call, excluding vehicle accident with injury	321	300 - Rescue & EMS		1	
Outside storage fire	161	100 - Fire			1
Watercraft rescue	365	300 - Rescue & EMS	1		



**00:58**

MM:SS  
Average Chute Time

**52%**

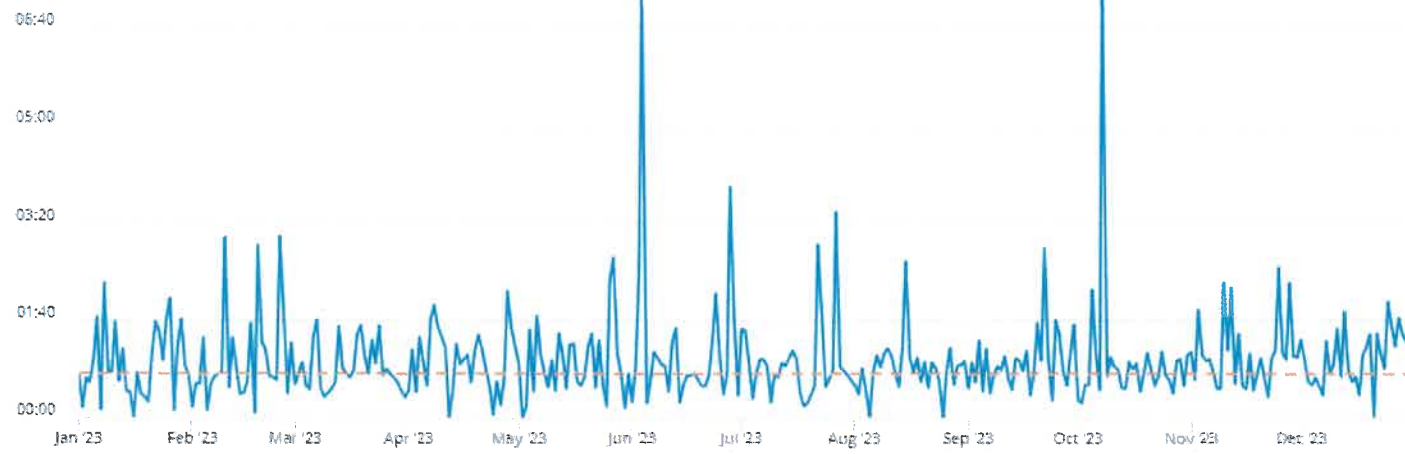
% of RESPONSES  
Chute time < 00:45

**365**

DAYS  
In Selected Time Slice

**1,226**

UNIT RESPONSES  
In Selected Time Slice



Counts

	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Jun '23	Jul '23	Aug '23	Sep '23	Oct '23	Nov '23	Dec '23	Jan '24	Total
00:00 - 00:29	50	32	40	23	40	42	38	44	40	28	27	29		433
00:30 - 00:59	32	22	27	18	24	28	27	44	34	35	37	42		370
01:00 - 01:29	9	12	17	21	14	14	18	24	24	9	21	20		203
01:30 - 01:59	7	5	7	10	7	12	9	15	6	7	11	9		105
02:00 - 02:59	9	5	5	3	3	4	5	6	2	2	9	8		61
03:00 - 04:59	2	1	2	2	3	2	2		2	1	3	3		23
04:00 - 04:59		1	3		1		1		1		2	2		11
05:00 - 09:59	4	4		1	3	3		1	2		1	1		20
Total	113	82	101	78	95	105	100	134	111	82	111	114		1,226

Exceptions

4

Filter statement

Filters **Days in Dispatched** 1/1/23 to 12/31/23 | **Is Active** true | **Is Locked** true | **Scene Zone** Exclude: Non Emergency Transport | **Unit** Exclude: 800, 806, NET, NAPI

## Average Response Time

Average Response Time

Total Incidents

# of Response Time less than 8 min

Average Response Time

04m:37s

Total Incidents

1,230

# of Response Time < 8:00

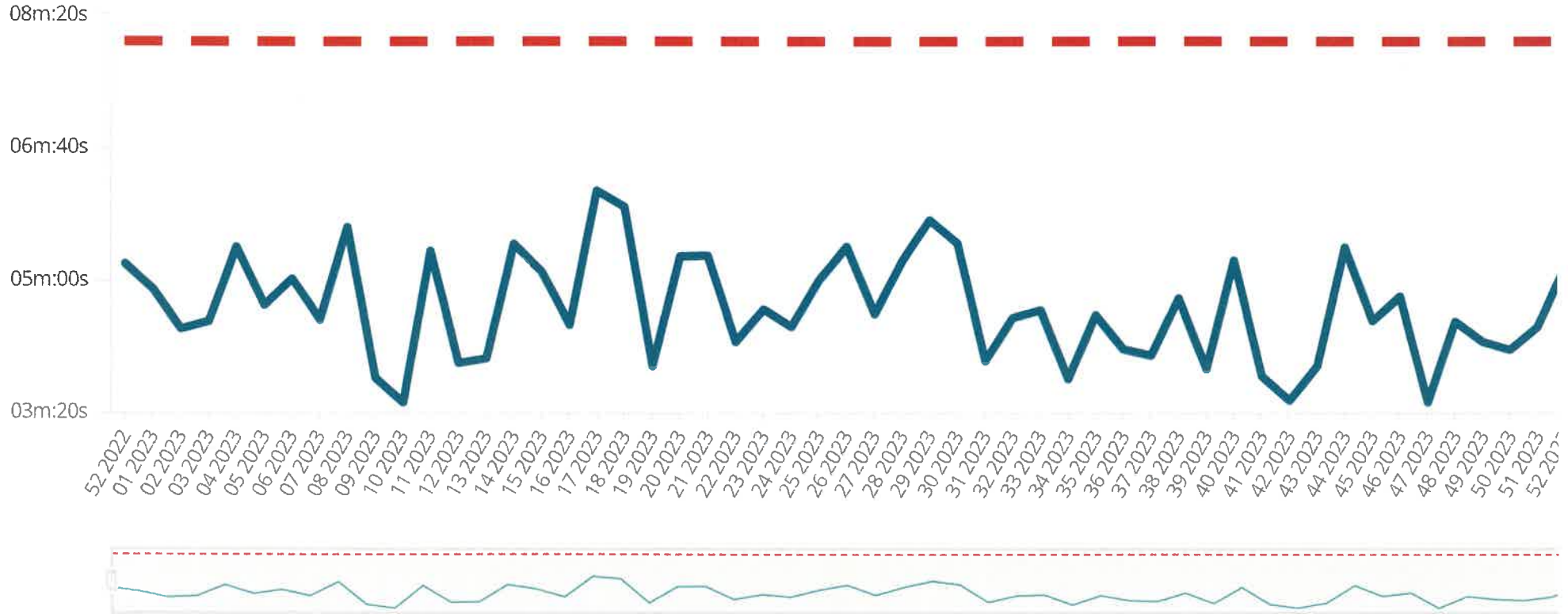
1,153

# Average Response Time 04/12/2024 4:07:16 PM EMS

Filter statement

Filters **Days in Dispatched** 1/1/23 to 12/31/23 | **Is Active** true | **Is Locked** true | **Scene Zone** Exclude: Non Emergency Transport | **Unit** Exclude: 800, 806, NET, NAP

Rolling Response Time Line Graph with Limit

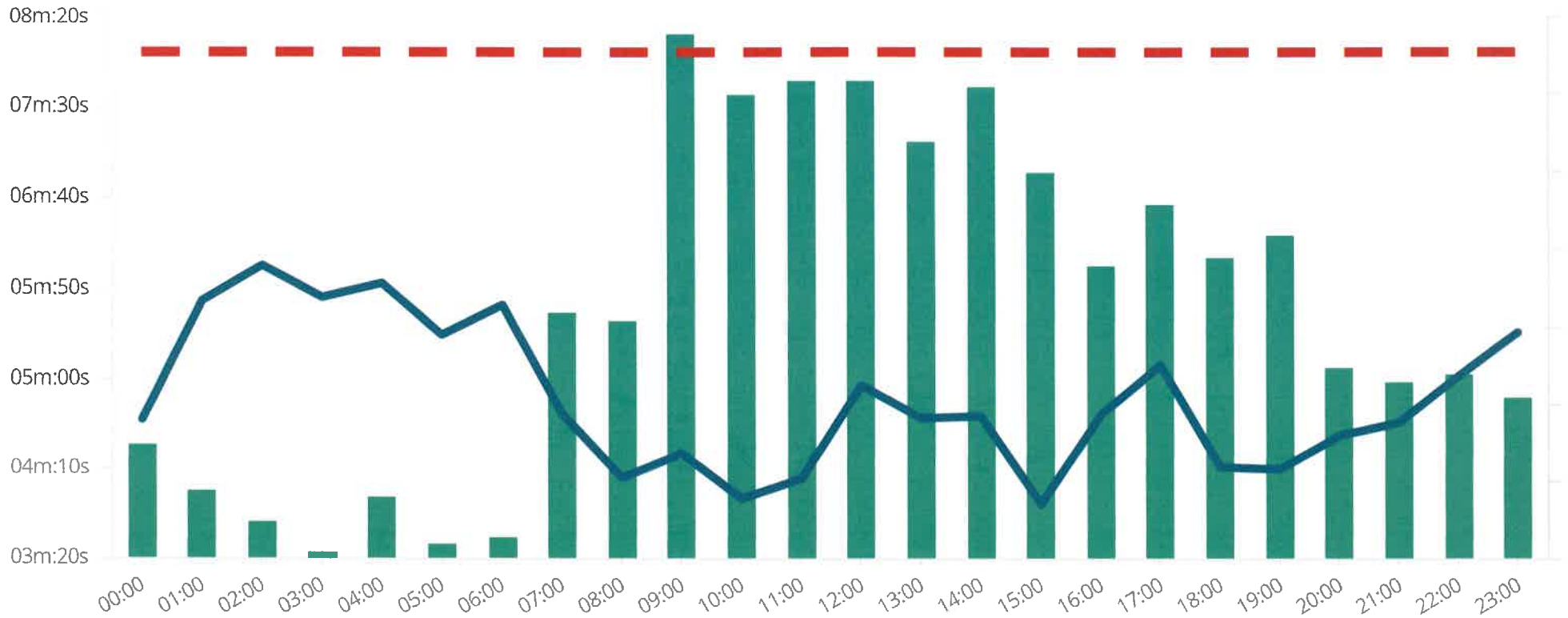




Filter statement

Filters **Days in Dispatched** 1/1/23 to 12/31/23 | **Is Active** true | **Is Locked** true | **Scene Zone** Exclude: Non Emergency Transport | **Unit** Exclude: 800, 806, NET, NAP

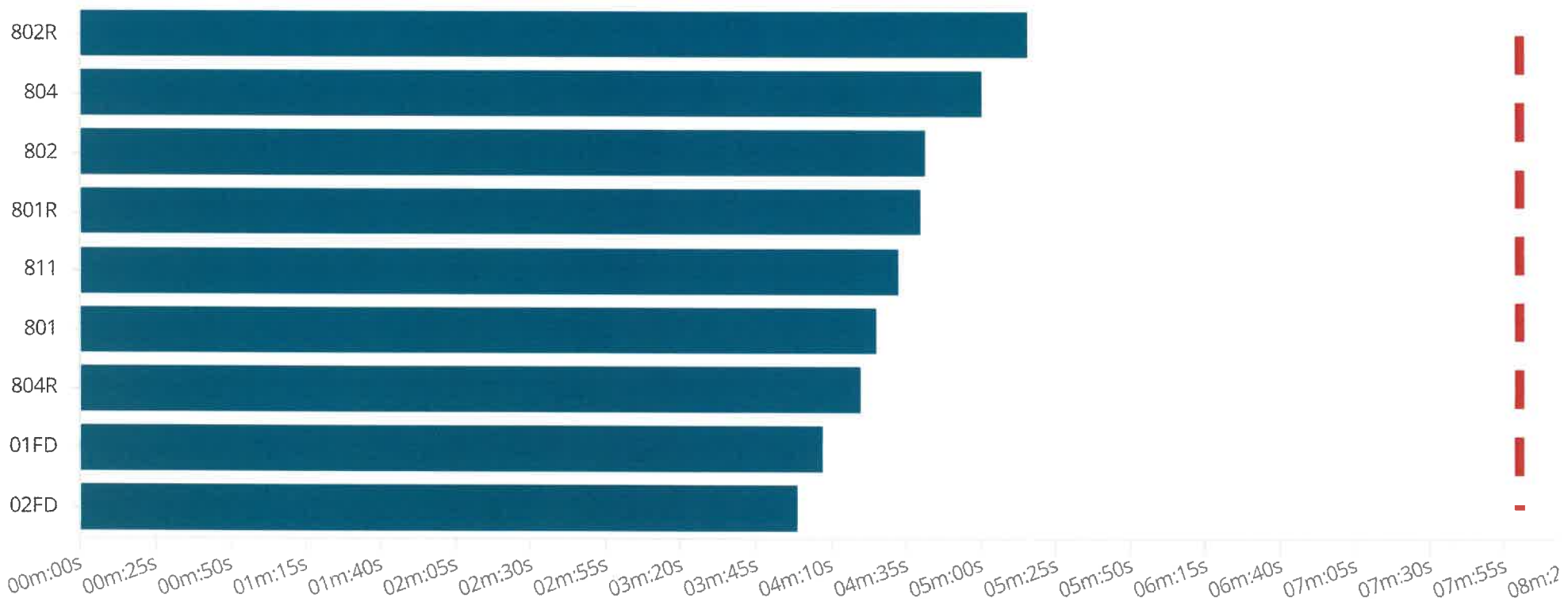
Dual Axis Rolling Response Time by Hour of Day and Total Patients



Filter statement

Filters Days in Dispatched 1/1/23 to 12/31/23 Is Active true Is Locked true Scene Zone Exclude: Non Emergency Transport Unit Exclude: 800, 806, NET, NAP:

Rolling Response Time by Unit





# City of **NAPOLEON**, Ohio

## Fire - Rescue Department

265 W. Riverview • P.O. Box 151  
Napoleon, Ohio 43545-0151  
Phone: (419) 592-0441 • Fax: (419) 592-5195

Web Page: [www.napoleonfire.com](http://www.napoleonfire.com)

### Fire Chief

David L. Bowen

### Assistant Fire Chief

Jonah L. Stiriz

### Captain

Joel Frey

### Captain

Tyler Reiser

### Captain

Alex Rupp

### Lieutenant

John Pugsley

### Lieutenant

Trevor Ashbaugh

# Memorandum

**To: J. Andrew Small, City Manager**

**From: David L. Bowen, Fire Chief**

**cc: Amanda Griffith**

**Date: March 1, 2024**

**Subject: Grant acceptance**

Mr. City Manager,

I am asking to add to the City Council agenda for 3/4/2024 under “Good of the City”, that the City of Napoleon accept grant money we have been awarded by the State Fire Marshall’s Office in the amount of \$1,400.00. This was awarded through a training reimbursement grant for the successful completion of approved courses. This is an annual grant that we apply for and receive.

Best Regards,

David L. Bowen

Chief of Department

### Website

[www.napoleonfire.com](http://www.napoleonfire.com)

### Facebook

City of Napoleon Fire and  
Rescue

### Twitter

@napoleonfire

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January 17, 2024

City of Napoleon  
Council President Ross Durham  
255 W. Riverview Ave.  
PO Box 151  
Napoleon, OH 43545

**Re: 2024 Tax Incentive Review Council (TIRC)**

As Henry County Auditor Elizabeth Fruchey's designee for chairing the 2024 Henry County TIRC, The CIC passes on this information to you and respectfully asks for your political subdivision to **(a)** make the appointments outlined below and **(b)** inform our office of those appointments.

Ohio law provides that each Enterprise Zone (EZ) Agreement and Community Reinvestment Area (CRA) Agreement must be reviewed annually by a "council" (TIRC) to evaluate whether the business that is a party to that agreement has acted in good faith in following the commitments made under the agreement.

The TIRC reviews each agreement individually, by business, over the course of one (1) day. **The meeting will take place on Thursday, March 16, 2023, beginning at 9:00 a.m.** I respectfully ask that your representative(s) be present when agreement(s) in your geographic area of the county are discussed. Your representative(s) will not need to be present (although they are certainly welcome to be present) when agreements in other geographic areas of the county are discussed. **Please make sure that your appointed representatives will be able to attend on March 16, 2023.**

Each political subdivision has a certain number of appointments to make:

Henry County:	Three (3) Representatives
Each Municipality with an Agreement:	Two (2) Representatives
Each Township with an Agreement:	Two (2) Representatives
Each School District:	One (1) Representative
Four County Career Center:	One (1) Representative

Please appoint your representatives and inform our office of those appointments **on or before February 24, 2024** by filling out the attached form and returning it to our office with a resolution or minutes from your meeting stating the representatives.

If you have any questions or concerns related to this memorandum, please contact the office at (419) 592-4637 at your convenience.

Respectfully,

Kylie Ziegler  
Administrative Assistant



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

[www.napoleonohio.com](http://www.napoleonohio.com)

## Memorandum

**To:** J. Andrew Small, City Manager  
**From:** Chad E. Luffs, P.E., P.S., Director of Public Works  
**cc:** Billy Harmon, City Law Director  
Amanda Griffith, Clerk of Council  
Jeremy Okuley, WWTP Superintendent  
Brian Okuley, Operations Superintendent  
**Date:** March 1, 2024  
**Subject:** 2024 Sewer Study

As part of the 2024 Budget, the City has allocated funds to perform the 2024 Sanitary Sewer Flow Monitoring Update as required by the Ohio Environmental Protection Agency (O.E.P.A.). The Engineering Department has been working with Stantec Consulting Services, Inc. since 2008 to monitor the collection system. Of the six studies previously required, Stantec has performed them all.

Because of Stantec's first-hand knowledge of our collection system and because they have performed all other flow monitoring studies previously required by the O.E.P.A., it is my request and recommendation that City Council waive the requirement for Quality Based Selection and allow us to enter into a contract with Stantec to perform the required study.

I request that Council direct the Law Director to prepare the appropriate legislation waive the Quality Based Selection process and enter into a contract with Stantec Consulting Services for the 2024 Sanitary Sewer Flow Monitoring Update. If approved to proceed, I will negotiate a not-to-exceed price with Stantec.

**SPECIAL MEETING AGENDA**

for a Joint Meeting of the

**SAFETY AND HUMAN RESOURCES COMMITTEE**

with

**FREEDOM, NAPOLEON & HARRISON TOWNSHIPS  
HENRY COUNTY SOUTH JOINT AMBULANCE DISTRICT  
AND THE VILLAGE OF FLORIDA**

Monday, February 26, 2024, at 7:00 pm

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes: November 27, 2023 (In the absence of any objections or corrections, the Minutes shall stand approved)
- 2) Review of EMS Costs and Revenues
- 3) Any other matters to come before the committee
- 4) Adjournment



A handwritten signature in blue ink, reading "Amanda Griffith", is written over a horizontal line.

Amanda Griffith- Clerk

*City of Napoleon, Ohio*  
**Meeting Minutes of the**  
**SAFETY AND HUMAN RESOURCES COMMITTEE**  
JOINT MEETING WITH  
FREEDOM, NAPOLEON & HARRISON TOWNSHIPS  
HENRY COUNTY SOUTH JOINT AMBULANCE DISTRICT  
AND THE VILLAGE OF FLORIDA

**Monday, February 26, 2024, at 7:00pm**

**PRESENT**

Committee Members	Jordan McBride-Chair, Brittany Schwab, Robert Weitzel
City Staff	Brittany Roof- Human Resources Director Jonah Stiriz- Assistant Fire Chief David Bowen- Fire Chief
Others	News-Media Napoleon Township Trustees – Kevin Gerken, Kevin Sonnenberg Freedom Township- Denny Bockelman Harrison Township- Vern Oberhaus, Brad Kinder Henry Co. South Joint Ambulance District – Scott Buddelmeyer Village of Florida- Brenda Bost
Recorder	Amanda Griffith

**ABSENT**

**Call to Order**

Chairman McBride called the Safety and Human Resources Committee meeting to order at 7:00pm.

**Approval of Minutes**

Hearing no objections or corrections, the minutes from the November 27, 2023, Safety and Human Resources Committee meeting were approved as presented.

**Review of EMS Costs and Revenues**

McBride turned the discussion over to Chief David Bowen.

Bowen- Good evening. In your packets, you'll all see, there's one for each of you, they're broke down as we've done in similar meetings. This front page here, this goes through a lot of things, kind of a year-end wrap up for what we did at the Napoleon Fire Department through 2023 and then our goals going into 2024. One of the big ones you'll see there is the application for the AFG Grant; you've heard me talk about multiple times in 2023 about the purchase of a new fire engine to replace a worn out engine and we did get approval from council to apply for that grant, if we receive that that will be in the tune of a million dollars. So that will be a huge debt in the cost of a new engine. In doing that, I ran some numbers and the engine that we are replacing, when we

bought that in 1997, we paid \$165,000.00 for it; and it's going to be between 1.25 and 1.5 million to buy one now. That was a demo unit meaning that it was one that they would call a cookie cutter, so they make them and people buy them, you can't really do a whole lot of modifications. We limped it through for, by the time we would get an engine, that engine would be thirty years old. Number two on there, we did receive new extrication equipment a week and half ago, that was through a grant from our HR Director, Brittany Roof, through the Ohio Bureau of Workman's Comp. So that got put in service. Everything else moving forward are things that we hope to do throughout 2024 and moving forward if we can.

So the reason we are all here is obviously this page runs through the fees of the actual expenses in 2023 for the fire department and what the approved budget is for 2024 which is where your township dollars go to contract services for us. Unfortunately the city manager and finance director couldn't be here, so I will try to answer any questions that you have, if not I will defer them to one of those two and we will get you the answer. Obviously we are meeting a little bit later as this does need to go into effect by April 1<sup>st</sup>, so this will have to go to this next council meeting for legislation and then they'll have to vote on it under suspension the last meeting of March so we can go into effect by April 1<sup>st</sup>. That was an oversight by not only myself but the city manager and finance director as well. Does anyone have any questions on page one of three on the cost and the approved budget? Most of the increases are, we were able to cut in some areas; some of the areas that are really hard to cut from obviously are the personnel costs and then here's your actual costs going into page three of that financial worksheet. As you can see the very bottom box there, Kevin went into detail on going to what could possibly be projected for 2025; that bottom is going to be the quarterly payments.

I won't bore you with the numbers, you guys can review your sheets. There are a couple of different places that I would like to identify and that's going to be the one that you're going to see in red and blue. Now when we run our report in ESO which is our reporting software, it only bundles this first group here, this 100 group, as fires. Unfortunately, that doesn't take into consideration motor vehicle accidents and other such items that we would identify that includes an engine response or general alarm for us, so I went through and highlighted anyone that we would consider an engine response that we would get a general alarm which would be everybody on station would respond. It's going to be an engine, a medic and then it also alarms any off-duty personnel. So after running those numbers, because if you run it out of here, it shows 98% EMS and 2% fire. That's really not the case; we did forty-four actual working fires last year with seventeen of them being structures. So 39% of our fires are structure fires and then running the numbers like this it puts us at 86% of EMS, 14% fire, which is a little below the national average and general rule of thumb is national average is going to be like a 75%/25% split. So we're a little bit below that but we do have an increasing aging population so that does not help and we do have a few that we run on multiple times a day which puts those numbers up. The 611's and 622's the no incident found or dispatch canceled in-route, those numbers could go either way because it could be a fire response, it could be an EMS response, there's no way to dictate back and forth on those. It could be that we go to a structure fire in Wauseon and they cancel us or we go to Route 24 for a reported car accident and nothing's found. So those sixty-five runs there, those could go either way. Then you see our alarms and citizen complaints.



Moving on through, it breaks it down per entity so you have the City of Napoleon and then we through each one of your respective townships. And this is very similar to the same report you guys get on a quarterly basis. I know the question got brought up at one of the meetings about mutual aid. So when I run those reports those are EMS only and then I go in for mutual aid and run that as a separate report, so in your respective townships or village or area that you're contracted to cover or subcontract with us, we only ran a total of six mutual aid calls. Then going down further, this identifies what they were. So of those six, we had two structure fires, one field fire, we did have one EMS call that was mutual aid in Freedom Township with Ridgeville, that was a grain bin fire and then we had a river rescue in Florida. So the two in Flatrock Township, I know Scott you asked about that once before, the mutual aid, the two we had in 2023 in that jurisdiction was fire related; one was a field fire out here on 424 and the other one was a water rescue down by Gerty's.

Here's our total automatic aid given in 2023; see where we went and who we helped. Now this does not take into consideration any time we would've been dispatched and canceled. There is a line here for that we usually don't run that as mutual aid because NFIRS says you're not suppose to count it as mutual aid unless you actually arrive on scene and put boots on the ground. The next page is our average shoot time. So 58 seconds and this runs all calls. So our average response time is 58 seconds and that is to get out the door. So whether its 2:00 in the afternoon and everybody is out in the bay doing training or whether it's 2:00 in the morning and everybody is upstairs in the bunkroom, about 58 seconds is our average response time, our shoot time. Average response time then that is our time of alarm until we mark on scene is four minutes and thirty-seven seconds. That takes into consideration all calls. That is it for my report.

Oberhaus- C.A.R.E.S. money, COVID money, has there been any in the last two or three years?  
Bowen- I'll ask Kevin on that, that's a financial question. I will defer that to Kevin Garringer our Finance Director. I don't know if that would actually show up in the fire department's numbers though. The city as a whole may have gotten that and dispersed that throughout the city but as far as the fire department filing and receiving, the only one we did was for hazard pay through the State of Ohio but I will check with Kevin on that. My assumption is that the city took that in as a whole and it would show up on the city's overall budget and not the fire's individual budget. Kevin's due back on Thursday so I will get with him late Thursday morning and then I'll get back to you.

Gerken- Good report Dave. Bowen- I take very little credit for that report so all I have to do is find it and print it off.

Motion: Weitzel      Second: Schwab

To recommend to city council to accept the rates for Henry County South Joint Ambulance District, Freedom Township, Napoleon Township, Harrison Township and the Village of Florida.

Roll call vote on the above motion:

Yea- McBride, Schwab, Weitzel

Nay-

**Yeas- 3, Nays-0. Motion passed.**

**Any other matters to come before the committee**

None

**Adjournment**

Motion: Weitzel      Second: Schwab

To adjourn the Safety and Human Resource Committee meeting at 7:15 p.m.

Roll call vote on the above motion:

Yea- McBride, Schwab, Weitzel

Nay-

**Yea-3, Nay-0. Motion Passed**

**Approved**

---

*Jordan McBride- Chair*

*City of Napoleon, Ohio*

**CIVIL SERVICE COMMISSION**

**MEETING AGENDA**

**Tuesday, February 27, 2024, at 4:30 pm**

Napoleon Elementary School Cafeteria, 725 Westmoreland Avenue, Napoleon, OH

1. Call to Order
2. Approval of Minutes - (in the absence of any objections or corrections, the minutes shall stand approved) January 23, 2024.
3. Approve Applicants for the Position of Police Officer (Patrolman Grade)
4. Administer the Police Officer (Patrolman Grade) Physical Agility Test
5. Certify List for the Position of Police Officer (Patrolman Grade)
6. Adjournment.



Amanda Griffith ~ Clerk

*City of Napoleon, Ohio*

**BOARD OF ZONING APPEALS**

Special Meeting Agenda

BZA 24-01 – Variance for Commercial use – 1600 Glenwood Ave.

BZA 24-02 – Variance for an accessory building size and height - 230 Glenwood Ave.

**Tuesday, February 27, 2024, at 4:30 pm**

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

1. Call to Order
2. Organization of board members
3. Approval of Minutes – September 12, 2023. (In the absence of any corrections or objections, the Minutes shall stand approved)

**4. New Business**

BZA 24-01 – Variance for Commercial use at 1600 Glenwood Ave.

An Application for a public hearing has been filed by Mr. Steve Kauffman of 115 Pheasant Ln, Archbold Ohio. The applicant is requesting a variance to Section 1147 of the City of Napoleon Codified Ordinance regarding an additional building to be built within the Fenced in area of the existing property of 1600 Glenwood Ave. City of Napoleon, Henry County Ohio. This property is now in a C-4, Planned Commercial District and therefore will need a variance in order to build the last of the remaining storage unit. The units were approved by the Planning Commission in 2009 prior to the zoning change. This property is now in a non-conforming district and should be allowed to continue the construction of the Storage unit.

BZA 24-02 – Variance for an accessory building size and height at 230 Glenwood Ave.

An Application for a public hearing has been filed by Gary Malone of 230 Glenwood Ave. Napoleon Ohio 43545. The applicant is requesting approval of a variance to section 1147 regarding the building square footage and height requirements in an R-2 low-density Residential District. The Applicant is requesting a variance to Place a 40'x60' accessory building that equals 2,400 square feet in size and the height of the building to excess 18' feet in height.

5. Closing Remarks
6. Adjournment.



Amanda Griffith –Clerk