

June 2024

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

City of Napoleon

SPECIAL JOINT MEETING AGENDA

for a Meeting of the

BOARD OF PUBLIC AFFAIRS

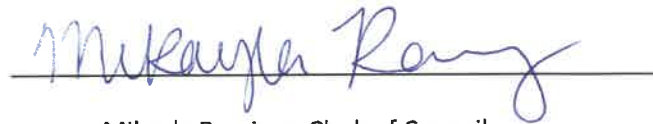
with

WATER, SEWER, REFUSE, RECYCLING & LITTER COMMITTEE

Monday, June 10, 2024 at 6:00 pm

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes – June 3, 2024 (In the absence of any objections or corrections, the Minutes shall stand approved)
- 2) Review of Water and Sewer Rules specifically Rule 5- Special Services and Rule 32- Fees
- 3) Campell's Waste Water Contract
- 4) Any other matters to come before the Board
- 5) Adjourn



Mikayla Ramirez- Clerk of Council

DRAFT

City of Napoleon

SPECIAL JOINT MEETING AGENDA
for a Meeting of the
WATER, SEWER, REFUSE, RECYCLING & LITTER COMMITTEE
with
BOARD OF PUBLIC AFFAIRS
Monday, June 10, 2024, at 6:00 pm

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes: June 3, 2024 (in the absence of any objections or corrections, the Minutes shall stand approved).
- 2) Review of Water and Sewer Rules specifically Rule 5 - Special Services and Rule 32 – Fees
- 3) Campell's Waste Water Contract
- 4) Any Other Matters to Come Before the Committee
- 5) Adjournment

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

Mikayla Ramirez- Clerk of Council



City of *NAPOLEON*, Ohio

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Mayor

Joseph Bialorucki

Members of Council

J. Ross Durham-President

Brittany Schwab-President Pro-Tem

Kenneth Haase

David Cordes

Robert L. Weitzel

Tom Weaver

Jordan McBride

City Manager

J. Andrew Small

Finance Director

Kevin L. Garringer

Law Director

Billy D. Harmon

Date: June 6, 2024

To: Mayor, Council President, and Members of Council

From: J. Andrew Small, City Manager

Subject: June 10 Council Packet Information

Included in the council packet this week is information regarding the proposed changes to the water and sewer rules. The entire document is 96 pages. However, we only included those pages that have revisions, and are specific to *Rule 5 – Special Service and Extension* (pertaining to Hydrant Meter Use), as well as *Rule 32 – Appendix 'A' Fees*.

Also, for your review, I included the *Wastewater Collection and Treatment Contract* I developed for accepting Campbell Soup Company wastewater.

I look forward to discussing both items Monday evening at the joint meeting of the Water, Sewer, Refuse and Recycling Committee and the Board of Public Affairs.

If you have any questions, please feel free to contact me.

Andy

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

RULE 32 APPENDIX "A" FEES

To partially offset the additional expense to the City in furnishing special services requested or caused by the customer, such as the connection service, collection of accounts, etc. the charges for such services are set forth in this Appendix "A". Normal connections will occur during regular business hours of the City. Any service connections after normal business hours may have an added fee to cover the additional cost of services. This appendix also covers other current rates, fees and charges. All rates not contained in this Appendix shall be as contained in Chapter 931 of the Codified Ordinances of the City or other policy, resolution or ordinance.

Trip Charges:

Initial Customer Requested Water Connection (Trip Charge)	\$0.00
Other Customer Requested Water Connection (Trip Charge)	\$20.00 \$50.00
City Maintenance Connection/Disconnection (Trip Charge)	\$0.00
Customer Emergency Maintenance Connection/Disconnection (Trip Charge)	\$0.00
City Disconnection Water Service (each trip) pursuant to RULE 15 (b)	\$50.00

Other:

Filing of Appeal Fee	\$35.00
Return Check Service Fee	\$25.00
Well, Pond Reservoir, Lagoon Permit Application Fee	\$50.00
Temporary Water Service Fee (Includes Permit Fee)	\$100.00
Hose Meter Charge (\$1.00 Minimum Fee)	\$10.00 Per Month

Hydrant Meter Charge (\$10.00 Minimum Fee) **\$10.00 Per Day**
(When not used for city projects)

Meter Testing Fee at Customer's Request (when no meter problem found) the customer's cost shall be time and material as determined **at by** the actual cost to City

* Fees listed under this Rule (Appendix **A**) **apply** only during normal business hours. Services performed after normal business hours will have an additional \$40.00 added fee for each service, except for appeals.

* Placement and/or removal of a limiter constitutes disconnect/connect for purposes of trip charges.

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

RULE 5 SPECIAL SERVICE AND EXTENSION

Rule 5.1 Fire Protection Service (Outside Corporation)

- (A) Where water main extensions are required solely for the purpose of providing fire protection to the property owner/customer, the property owner/customer shall pay the entire cost of such special mains including any special meters and/or approved backflow prevention device as may be required. In any event to avoid the possibility of cross-connecting, no special extensions of water mains will be made to provide fire protection service unless the customer agrees in writing to purchase 100% of customer's other water requirements from the City.
- (B) Upon the expiration of any such agreement where such special fire protection has been established and the property owner/customer subsequently obtains his/her normal water supply from sources other than the City, the charge for the remaining fire protection service shall be in accordance with the minimum charges set forth in the City's commercial & industrial rate schedules based, at the City's option, on the size of the water service line or main line required for the fire protection.
- (C) The City may, but is not required to, maintain fire hydrants and flushing outside the corporate limits where the City furnishes water thereto.

Rule 5.2 Fire Protection Service (Within Corporation Limits)

- (A) Unless waived in writing by the City Manager after consulting with the City Fire Chief, for all desired fire protection service installations within the corporation limits made after the October 20, 1997, there is required a special dedicated fire service line located on premises at the property owner's expense subject to City's inspection and approval, including all of the necessary complete and separate piping system extending from the property owner's system and connection to the City's existing water main; such installations being subject to all applicable backflow regulations.
- (B) If any illegal diversion is suspected from old fire service lines, the property owner will be given reasonable written notice to properly install meters, and if not installed by the date specified by the City, the fire service line may be disconnected.
- (C) Potable water supply off of fire lines will be permitted only when connections and valving are made outside of structure foundations and metered; moreover, such connections shall be made in a manner that will allow shut off of water supply without interruption of the fire protection system line.

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

- (D) No water shall be diverted from a fire service line without the City's knowledge and consent, such diversion can constitute theft of a utility and be charged under the applicable section of law.
- (E) No charge will be made for any measured water flow through said fire line resulting from use of water for fire fighting or flushing purposes.
- (F) Under no condition will new fire service line extensions or connections be made, after the effective date of these Rules, unless customer purchases one hundred (100%) percent of his/her water requirements from the City. Where customer purchases one hundred (100%) percent of customer's water requirements from City and where all of customer's water requirements, including fire protection service, are taken through a single metered service line, no additional charge will be made for any fire lines or sprinkler systems connected to the regular metered service line.

Rule 5.3 Temporary Service

Whenever the service requested by the property owner/customer is temporary, special short term or emergency, the written application or contract for such service shall specify the period of service and the character of service. The property owner/customer shall pay for all extra charges, including deposits, if any, as determined by the Utility Department, involved in connection, installation and removal of the service together with all material, labor and other expenses incidental thereto.

Rule 5.4 Special Watering

For summer watering of grass or the like, hose meters will be issued for a maximum period of ninety (90) days upon payment of a deposit as determined by the City Utility Department. Meters are limited; therefore, meters will only be issued to people watering a new yard, or newly planted trees, shrubs or the like, or filling swimming pools or the like, and will be distributed on a first come first serve basis. During prolonged drought conditions, and at the City Manager's discretion, hose meters will be available to customers doing summer watering of grass, trees, shrubs or the like for a maximum of thirty (30) days. When filling swimming pools or the like, the maximum period of time for hose meter use will be seventy two (72) hours. **No sewer credit as contained in Codified Ordinance 931.09 Section 3 will be given for these purposes without the use of a hose meter.** The fee for using a hose meter shall be as contained in Rule 32, pro rated to the nearest day.

Rule 5.5 Hydrant Meter Use

- (A) Any request for a hydrant meter will need to be made a minimum of ~~twenty-four (24) hours~~ **three (3) business days** in advance. At the time of the request, the City shall be notified as to how many feet of hose is required. The City, upon payment of a deposit **of \$500** as determined by the City Utility Department and when determined practical for the intended use as

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

determined by the City's Operations Department, will attach it to the fire hydrant, turn the hydrant on and place the hose beside the hydrant. When the customer is finished, the hose is required to be rolled back up and placed beside the hydrant. Any hoses left unrolled will result in additional charges for labor at the City's current hourly rate. Upon completion the customer is required to contact the City **Utility Operations** Department to have the hoses picked up and the hydrant closed and meter removed. Under no circumstance will the City allow ~~either~~ the customer ~~or contractor~~ to operate the City's hydrant.

- (B) For people requesting a hydrant meter for reasons such as: to start a new lawn, fill a swimming pool, or the like, the service may only be allowed for a period not to exceed one (1) week.
- (C) For contractors in the construction business requesting a hydrant meter for reasons such as: dust control, grading, building or other construction-related activities, the service may be allowed for short and long term usage. The contractor shall under no circumstances transport water out of city limits for any reason. Contractors shall not remove the meter from the hydrant on which it was originally installed. Only City personnel may install, remove or relocate hydrant meters.**
- ~~(D)~~ (D) Due to limited availability of ramps, in cases where a hose must cross a road, the person requesting this service will be put on a list and will receive the service as soon as practical.
- ~~(E)~~ (E) All meters will be set and picked up during normal working hours. No request for hydrant meters will be handled on an overtime basis.
- ~~(F)~~ (F) Charges will be as follows: one (1) hour to set and pickup hydrant meter and hoses (at the City's current rate for labor), plus the cost of the water (which will be the current charge for bulk sales for water at the Water Treatment Plant) and any additional charges for rolling up hoses. **The fee for using a hydrant meter shall be as contained in Rule 32, pro rated to the nearest day.**
- (G) Any damage to the meter or its components MUST be reported to the City Operations Department immediately and returned for inspection and/or replacement. Any misuse of the device, intentional damage to the metering components, any other action that results in damage to the meter, or obtaining water without use of the meter will result in fines & fees. If the meter is lost or damaged in such a way that precludes obtaining an actual reading, the customer shall pay a sum for water usage calculated as follows: For each day after check-out date, the current rate approved by the City for water discharged through a hydrant based upon the maximum flow capacity of the hydrant meter for an eight-hour period.**

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

Rule 5.6 ***Bulk Water Sales To Tank Trucks***

Bulk water sales will be available at the City of Napoleon Water Treatment Plant. Rates shall be pursuant to the current rate schedule. If no special rate is developed for "bulk" sale, then it shall be the standard water rate.

Rule 5.7 ***Special Line Extensions***

- (A) Special extensions of the City's water mains will be made only where the property owner/customer pays the entire costs of such extensions. Where a property owner/customer or group of property owners/customers pay for the cost of a special extension, the terms and security of payments shall be as prescribed by the City and must meet the approval of the City.
- (B) The size, specifications, and installations of all water main extensions shall be determined by the City and no connections will be made by the City unless the extensions conform to the City's specifications.
- (C) This Rule does not supersede the Rules pertaining to water/sewer service outside the corporation limits.

Rule 5.8 ***Second Meters***

When a second meter is installed on a premises for irrigation or other non-potable purposes, utilizing City water, where no discharge enters the sanitation sewer, the Customer shall pay all cost associated with installation, including time and material therefore and shall be charged the standard water rate applicable to the particular type premises with a 50% reduction in the regular capacity charge, and excluding any sewer charges.

(This Rule is subject to Rule 24, Backflow Prevention.)

CITY OF NAPOLEON HYDRANT METER APPLICATION

This application for Hydrant Meter Rental must be completed and approved three (3) business days in advance of request. The undersigned (Customer), agrees to the terms and conditions of the City of Napoleon Rules for Water and Sewer Service Rule 5.5 providing a hydrant meter and temporary water service.

Section 1. Customer Responsible for Hydrant Meter

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Daytime Phone: _____ Evening Phone: _____

Utility Customer Account Number (if applicable): _____

Section 2. Location and Intended Use

Location Address: _____

Intended Use: _____

Amount of Hose Requested: _____

Section 3. Meter Availability Notice

Hydrant meters are limited and are in high demand during the spring and summer months; therefore, the City cannot guarantee the availability of a hydrant meter.

Section 4. Attestation

By signing below, Customer acknowledges, understands and has agreed to all terms and conditions for requesting a hydrant meter.

Signature: _____ Date: _____

<p>For Office Use</p> <p>Application Accepted By: _____ Date: _____</p> <p>Deposit Received: _____</p> <p>Deposit Return: _____</p>
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WASTEWATER COLLECTION AND TREATMENT CONTRACT

This contract for the collection and treatment of wastewater is entered into as of the _____ day of _____, 2024, between the CITY OF NAPOLEON, OHIO, 255 W. Riverview Avenue, Napoleon, Ohio 43545, herein referred to as the "City", and the CAMPBELL SOUP COMPANY, 12773 OH-110, Napoleon, OH 43545, herein referred to as the "Company". When referencing both the City and the Company together, they shall be referred to as the "Parties".

WTNESSETH:

Whereas, Resolution No. _____ was enacted on the _____ day of _____, 2024, by the City for the collection and treatment of wastewater from the Company in accordance with the provisions of this Agreement; and,

Whereas, the In-service Date for billing purposes shall be defined as the date on which the valve is open and wastewater flows through the meter.

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth,

A Representations of the City:

1. Quantity: To treat wastewater produced by the Company to the extent that it meets applicable quality standards of the Ohio Department of Health and The Ohio Environmental Protection Agency, not to exceed 150,000 gallons per day, unless mutually agreed upon by the parties.
2. Billing Procedure: The City shall furnish the Company at the above address not later than the 10th day of each month, with an itemized statement of the wastewater processed by the City during the preceding month, unless unforeseen circumstances occur that would prohibit the ability to provide a timely statement.

B. Representations of the Company:

1. Point of Collection: Company shall furnish, install, operate, and maintain the necessary metering equipment at the point of collection for properly measuring the quantity of wastewater delivered to the City and to calibrate such metering equipment as needed. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the six months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of wastewater delivered during such period shall be deemed to be the amount of wastewater delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read monthly. An appropriate official of the City at all reasonable times shall have access to the meter for the purpose of verifying its readings.

WASTEWATER COLLECTION AND TREATMENT CONTRACT

- 2. Payment: The following rate structure shall be charged as follows:
 - a. To pay a capacity charge (base charge) of \$35.19 per month
 - b. To pay a commodity charge of \$7.56 per unit (100 cubic feet) per month
 - c. If deemed necessary, industrial metering and monitoring shall be charged at a rate of \$25.00 per sample.
 - d. Excess Strength surcharges shall apply as shown (per codified ord. 931.09):
 - Charge per pound of CBOD above 200 MG/L: \$0.15
 - Charge per pound of SS above 250 MG/L: \$0.15
 - Charge per pound of phosphorus above 7 MG/L: \$0.15
 - CBOD = Carbonaceous Biological Oxygen Demand
 - SS = Suspended Solids
 - MG/L = Milligrams per Liter

All charges are subject to increases by Napoleon City Council.

IN WITNESS WHEREOF, the parties hereto, acting under the authority of their respective organizations, have caused this contract to be duly executed in four counterparts, each of which shall constitute an original.

City of Napoleon

The Campbell Soup Company

By: _____
J. Andrew Small, City Manager

By: _____
Name Title

Attest:

Mikayla Ramirez, Clerk of Council

Attest:

Name Title

Approved as to Form:

Billy Harmon, Law Director

Approved as to Form:

Name Title



City of Napoleon, Ohio

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

Memorandum

To: Electric Committee, City Council, Mayor,
City Manager, City Finance Director, City Law
Director, Department Supervisors, News-media
From: Mikayla Ramirez, Clerk
Date: June 7, 2024
Subject: Electric Committee Meeting Canceled

The Electric Committee meeting scheduled for Monday, June 10, 2024, at 6:30 pm has been CANCELED by the chair.



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Memorandum

To: City Council, Mayor, City Manager, City Finance Director, Law Director, Department Supervisors, News-media
From: Mikayla Ramirez, Clerk
Date: June 7, 2024
Subject: Municipal Properties, Building, Land Use and Economic Development Committee – Cancellation

The regularly scheduled meeting of the Municipal Properties, Building, Land Use and Economic Development Committee for Monday, June 10, 2024, at 7:30 pm has been CANCELED due to lack of agenda items.



City of Napoleon, Ohio

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Napoleon, OH 43545

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Memorandum

To: Records Commission, City Council, Mayor,
City Manager, City Finance Director, City Law
Director, Department Supervisors, News-media

From: Mikayla Ramirez, Clerk

Date: June 7, 2024

Subject: Records Commission – Cancellation

The regularly scheduled meeting of the **RECORDS COMMISSION** for Tuesday, June 11, 2024, at 4:00 pm has been *canceled* due to lack of agenda items.



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Memorandum

To: Board of Zoning Appeals, City Council, Mayor, City Manager, City Finance Director, Law Director, Department Supervisors, News-media
From: Mikayla Ramirez, Clerk
Date: June 7, 2024
Subject: Board of Zoning Appeals – Cancellation

The regularly scheduled meeting of the Board of Zoning Appeals set for Tuesday, June 11, 2024 at 4:30 pm has been CANCELED due to lack of agenda items.



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Memorandum

To: Planning Commission, City Council, Mayor,
City Manager, City Finance Director, City Law
Director, Department Supervisors, News-media

From: Mikayla Ramirez, Clerk

Date: June 7, 2024

Subject: Planning Commission – Cancellation

The regularly scheduled meeting of the **PLANNING COMMISSION** for Tuesday, June 11, 2024, at 5:00 pm has been *canceled* due to lack of agenda items.