

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 1141.01 BY DELETING SUBPARAGRAPHS 7(b) AND 7(d) THEREOF TO ASSURE THAT THERE IS ONLY ONE ORDINANCE ESTABLISHING FRONT YARD BUILDING SETBACKS IN B-3 COMMERCIAL DISTRICTS; REPEALING THE MORATORIUM ESTABLISHED IN ORDINANCE NO. 30-15; AND, DECLARING AN EMERGENCY

Whereas, Codified Ordinance No. 1141.01 provides for permitted uses within the B-3 commercial Zoning District; and,

Whereas, existing Subparagraph (7)(b) allows for lubrication and washing activities by automobile service stations provided that activities are conducted no closer than 15 feet from the street line; and,

Whereas, existing Subparagraph 7(d) allows gasoline dispensing equipment to be placed no closer than 15 feet from the street line; and,

Whereas, these Subparagraphs conflict with the front yard building setback line requirements established in Codified Ordinance No. 1141.05 (a), which requires greater setbacks than 15 feet in B-3 Commercial Zoning Districts; and,

Whereas, the Building Inspector has recommended that an amendment be made to Codified Ordinance No. 1141.01 (7) to eliminate this conflict; and,

Whereas, Ordinance No. ____-15, which placed a moratorium on the authority of the Building Inspector to issue permits pursuant to Codified Ordinance No. 1141.01 (7)(b) and (7)(d) will no longer be needed if the proposed amendment to 1141.01 (7) is made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION ONE: Codified Ordinance No. 1141.01 (7) is hereby amended to read as follows:

“(7) Automobile Service Station, provided:

- (a) Any tire and tube repairing, battery charging and storage are conducted wholly within a building.
- (b) No entrance or exit shall be located within 50 feet of any residence district.”

SECTION TWO: Existing Subparagraph (7) of Codified Ordinance No. 1141.01, and Ordinance No. ____-15 are hereby repealed.

SECTION THREE: This Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety and welfare, for the reason that Council desires to have this legislation effective as soon as possible to eliminate any conflict between its Ordinances in B-3 Commercial Zoning Districts. As such an emergency measure, this ordinance shall take effect upon passage by Council and approval by the Mayor.

President of Council

Passed: _____

Attest: _____

Clerk of Council

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, _____ and signed by me as such Mayor on the _____ day of _____.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: STEFFEY

DRAFT NO. 55-16

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DEVELOPMENT OF A COMPETENCY TESTING POLICY FOR NEW EMPLOYEES OF THE CITY

WHEREAS, Council believes that it is in the best interests of the operations of the City that qualified, competent employees be hired when entry level employment positions other than civil service positions are to be filled; and

WHEREAS, qualifications can best be recognized by the use of competency testing to be used by the administration in determining what individual should be hired to fill an entry level position other than a civil service position.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That Council hereby authorizes and directs that the Administration and Council work together to develop a competency testing policy for the hiring of new employees of the City who are not otherwise subject to Civil Service appointment procedures.

SECTION 4. This Ordinance is hereby declared to be an emergency measure in the interest of the public health, welfare and safety for the reason that the prompt implementation of this merger is necessary to assist in the orderly administration of the City's government. As such an emergency measure this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency, it shall take effect at the earliest time permitted by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2016 and signed by me as such Mayor on the _____ day of _____, 2016.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: STEFFEY

DRAFT NO. 67-16

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CONCEAL AND CARRY WEAPON TRAINING FUND (CCW TRAINING FUND); AND DECLARING AN EMERGENCY

WHEREAS, the Niles Police Department will soon be offering Concealed Carry Licensing training to the public; and

WHEREAS, it is necessary to create a State approved fund to accept the fees collected for the training.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Subject to the approval of the Auditor of the State, the "CCW Training Fund", Fund No. 237 is hereby created to accept fees associated with the training.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the immediate creation of this fund is necessary to receive funds collected pursuant to the CCW training.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2016, and signed by such Mayor of this _____ day of _____, 2016.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

DRAFT NO. 69-16

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A CASH TRANSFER FROM THE GENERAL FUND TRANSFER ACCOUNT TO THE PARA TRANSIT FUND NO. 504; AND, DECLARING AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That Council hereby authorizes a cash transfer of Ten Thousand, Five Hundred Dollars (\$10,500.00) from the General Fund Transfer Account, Account No. 101-1090-59000 to the Para Transit Fund, Fund No. 504, to provide funds for payment to the Trumbull County Transit 2015 invoice.

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that these funds are needed at the earliest possible date to pay the transit invoice. As such an emergency measure, this Resolution shall be effective upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Received by the Mayor of the City of Niles this _____ day of _____, 2016,
and approved by me as such Mayor this _____ day of _____, 2016.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: STEFFEY

DRAFT NO. 70-16

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET FOR
THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND DECLARING
AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Alternative Tax Budget for the fiscal year beginning January 1, 2017, attached hereto as Exhibit "A", is hereby adopted by the Niles City Council.

SECTION 2: That the Niles City Auditor is hereby authorized and directed to submit copies of this budget to the Trumbull County Auditor.

SECTION 3: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the reason that failure to submit the budget in a timely manner may result in a loss of government funds. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____, 2016 and signed by me as such Mayor on this ____ day of _____, 2016.

MAYOR

ALTERNATIVE TAX BUDGET INFORMATION

TRUMBULL COUNTY

Name of City

City of Niles

For the Fiscal Year Commencing January 1, 2017

Fiscal Officer Signature

Date

Niles

CITY

Schedule 1

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund and any other funds requesting general property tax revenue)

FUND: GENERAL

DESCRIPTION	Actual Jan 1-Dec. 31 2015	Budgeted FY Jan 1-Dec 31 2016 Estimate	Budgeted FY Jan 1-Dec. 31 2017 Estimate
Beginning Unencumbered Fund Balance	\$1,399,140	\$203,055	\$190,850
Revenues:			
Health Department	\$24,947	\$0	\$0
Property Taxes	\$534,756	\$536,000	\$536,000
Local Government	\$243,909	\$230,000	\$230,000
All Other Receipts	\$9,204,624	\$9,579,447	\$10,173,000
Total Resources	\$10,008,236	\$10,345,447	\$10,939,000
Total Expenditures & Encumbrances	\$11,204,321	\$10,357,652	\$10,500,000
Ending Unencumbered Fund Balance	\$203,055	\$190,850	\$439,000

FUND: Police Pension

DESCRIPTION	Actual Jan. 1-Dec. 31 2015	Budgeted FY Jan 1-Dec. 31 2016 Estimate	Budgeted FY July 1-Dec. 31 2017 Estimate
Beginning Unencumbered Fund Balance	\$131,012	\$1,056	\$1,056
Revenues:			
Property Taxes	\$76,413	\$75,022	\$75,022
All Other Receipts	\$225,000	\$416,478	\$415,422
Total Resources	\$301,413	\$491,500	\$490,444
Total Expenditures & Encumbrances	\$431,369	\$491,500	\$491,500
Ending Unencumbered Fund Balance	\$1,056	\$1,056	\$0

NILES

CITY

Schedule 1

STATEMENT OF FUND ACTIVITY

(Complete only for General Fund, Bond Retirement Fund and any other funds requesting general property tax revenue)

FUND: FIRE PENSION

DESCRIPTION	Actual Jan 1-Dec. 31 2015	Budgeted FY Jan 1-Dec 31 2016 Estimate	Budgeted FY Jan 1-Dec. 31 2017 Estimate
Beginning Unencumbered Fund Balance	\$59,719	\$952	\$952
Revenues:			
Property Taxes	\$76,414	\$75,022	\$75,022
All Other Receipts	\$324,000	\$444,478	\$443,526
Total Resources	\$400,414	\$519,500	\$518,548
Total Expenditures & Encumbrances	\$459,181	\$519,500	\$519,500
Ending Unencumbered Fund Balance	\$952	\$952	\$0

FUND: PARK

DESCRIPTION	Actual Jan. 1-Dec. 31 2015	Budgeted FY Jan 1-Dec. 31 2016 Estimate	Budgeted FY Jan. 1-Dec. 31 2017 Estimate
Beginning Unencumbered Fund Balance	\$72,510	\$8,812	\$0
Revenues:			
Property Taxes	\$119,894	\$120,837	\$240,000
All Other Receipts	\$202,221	\$223,718	\$115,000
Total Resources	\$322,115	\$344,555	\$355,000
Total Expenditures & Encumbrances	\$385,813	\$353,367	\$355,000
Ending Unencumbered Fund Balance	\$8,812	\$0	\$0

Reproduce this schedule as often as necessary

NILES

CITY

Schedule 2

STATEMENT OF FUND ACTIVITY

(Funds with Revenue Other Than Local Taxes)

Add Additional Funds as Necessary
 Reproduce this Schedule as Necessary

FUND NAME	Beginning Estimated Unencumbered Fund Balance	2017 Total Estimated Receipts	Total Resources Available For Expenditure	Total Estimated Expenditures and Encumbrances
PRISONER TRANSPORT	\$2,856	\$1,000	\$3,856	\$0
POLICE & FIRE 1/2%	\$1,054	\$6,500,000	\$6,501,054	\$6,500,000
PERMISSIVE TAX	\$44,685	\$90,000	\$134,685	\$75,000
COMPUTER	\$15,134	\$35,000	\$50,134	\$31,000
DUI	\$148,390	\$13,900	\$162,290	\$0
STREET	\$509,749	\$740,000	\$1,249,749	\$785,000
STATE HIGHWAY	\$155,857	\$55,000	\$210,857	\$55,000
FOOD SERVICE	\$22,497	\$0	\$22,497	\$0
TRAILER PARK	\$1,752	\$0	\$1,752	\$500
SWIMMING POOL	\$29,135	\$2,000	\$31,135	\$1,000
COMMUNITY DEVELOPMENT	\$73,362	\$0	\$73,362	\$0
FEMA	\$0	\$0	\$0	\$0
SPECIAL PROJECTS	\$51,198	\$44,000	\$95,198	\$20,000
LEGAL RESEARCH	\$7,964	\$7,500	\$15,464	\$7,000
POLICE CPT	\$5,060	\$2,500	\$7,560	\$0
IMPOUNDING/TOWING	\$7,300	\$50,000	\$57,300	\$35,000
CEMETERY	\$8,439	\$175,000	\$183,439	\$175,000
SEIZURE	\$6,541	\$0	\$6,541	\$0
PROBATION	\$108,450	\$90,000	\$198,450	\$65,000
LAW ENFORCEMENT	\$1,289	\$1,000	\$2,289	\$1,000
DRUG LAW	\$1,479	\$1,400	\$2,879	\$1,400
COPS	\$14,563	\$0	\$14,563	\$0
G.O. BOND	\$1,000	\$0	\$1,000	\$0
S.A. BOND	\$0	\$0	\$0	\$0
DEBT RETIREMENT	\$58,224	\$0	\$58,224	\$0
CAPITAL PROJECTS	\$134	\$50,000	\$50,134	\$50,000
BRT CLEAN UP	\$0	\$0	\$0	\$0
WWTP DESIGN & IMPROVEMENT	\$32,000	\$20,000,000	\$20,032,000	\$20,032,000
WATER	-\$371,500	\$6,400,100	\$6,028,600	\$5,200,000
LIGHT	\$10,347,150	\$29,000,000	\$39,347,150	\$28,500,000
SEWER	\$568,475	\$3,000,000	\$3,568,475	\$2,800,000
TRANSIT	\$0	\$10,500	\$10,500	\$10,500
ENDOWMENT PRINCIPAL	\$85,900	\$0	\$85,900	\$100
UNCLAIMED MONIES	\$2,945	\$0	\$2,945	\$0
FIRE LOSS CLAIMS	\$0	\$0	\$0	\$0
MOTOR FUEL	\$0	\$225,000	\$225,000	\$225,000
HOSPITAL SELF INSURANCE	\$11,600	\$3,000,000	\$3,011,600	\$3,000,000
UTILITY TRUST	\$840,090	\$170,000	\$1,010,090	\$46,000
TOTAL	\$12,792,772	\$69,663,900	\$82,456,672	\$67,615,500

City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS COMMITTEE
AUTHORIZED BY: MARCHESE

DRAFT NO. 71-16

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY AND ADOPTING A PROPOSED BUDGET FOR THE PY 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, INCLUDING THE CDBG ALLOCATION PROGRAM AND CDBG NEIGHBORHOOD REVITALIZATION GRANT (NRG) PROGRAM, AND ALLOTING THE FUNDS FOR THE PROGRAM YEAR 2016 COMMUNITY DEVELOPMENT ALLOCATION PROGRAM; AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Niles is eligible to apply for a grant in the amount of Seventy-Five Thousand Dollars (\$75,000) under the Ohio Small Cities Community Development Block Grant (CDBG) Program, which includes the CDBG Allocation Program; and

WHEREAS; The City of Niles is eligible to apply for a grant up to the amount of Five Hundred Thousand Dollars (\$500,000) from one of the Competitive Set-Asides, which includes the CDBG Neighborhood Revitalization Grant (NRG) Program; and

WHEREAS, City Council is required to adopt a proposed budget for submittal to the Ohio Development Services Agency; and

WHEREAS, the public has been offered the opportunity to review the application and its contents in the public hearing forum prior to the submission of the application,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the funds available to the City of Niles, Ohio through the Ohio Community Development Block Grant (CDBG) Program be allocated as follows:

<u>Program</u>	<u>Activity</u>	<u>Budget Amount</u>
CDBG Allocation	Street Improvements (High Ave.)	\$62,500
	Administration	\$10,000
	Fair Housing Program	<u>\$2,500</u>
	Total	\$75,000
Neighborhood Revitalization	Street Improvements	\$
	Curbs and Sidewalks	\$
	Flood and Drainage	\$
	Demolitions	\$
	Fire Protection	\$
	Water & Sewer Facilities	\$
	Administration	<u>\$ 50,000</u>
		\$500,000

SECTION 2: That the Mayor of the City of Niles is authorized to execute all certifications, assurances, and contract documents necessary for approval of the application for federal funds.

SECTION 3: That the aforementioned funds, upon receipt of all necessary state and federal approval pursuant to the application made by the City of Niles, be and hereby are appropriated for the aforementioned allocated expenditures, and, upon receipt of all said funds, the auditor shall issue this warrant for the payment in accordance with the aforementioned allocations.

SECTION 4: That this resolution be declared an emergency measure in the interest of the public health, welfare and safety, and for further reason that said funds must be immediately allocated in order to complete said fund application; and, as such an emergency measure, this resolution shall take effect upon passage by Council and approval by Mayor; otherwise, if not so passed as an emergency measure, it shall take effect from and after the earliest time provided by law.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____,
2016 and signed by me as Mayor the ____ day of _____, 2016.

MAYOR

J. TERRENCE DULL
LAW DIRECTOR
CITY OF NILES, OHIO

724 YOUNGSTOWN WARREN ROAD
SUITE 11
NILES, OHIO 44446

TELEPHONE: 330-652-5006
FAX: 330-544-9002
E-MAIL: JTDULLLAW@AOL.COM

June 13, 2016

Members of Council

Re: Draft No. 71-16/Community Development Block Grant (CDBG)

Council Members:

The amount of the entire Neighborhood Revitalization grant is listed in Section 1; however, the breakdown of the categories was not available at the release of the legislation. The final breakdown will be available at the meeting.

Thank you.

Terry Dull

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: STEFFEY

DRAFT NO. 72-16

RESOLUTION NO. _____

A RESOLUTION ADJUSTING APPROPRIATIONS PROVIDED FOR IN THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016 IN VARIOUS ACCOUNTS; AND, DECLARING AN EMERGENCY

WHEREAS, council adopted the permanent budget for the City for the fiscal year beginning January 1, 2016 in Resolution No. 15-16; and;

WHEREAS, after further review of the projected revenues and expenses for the City for 2016, Council has determined that it will be necessary to adjust appropriations in the accounts listed in Exhibit A attached hereto at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That Council hereby approves the increases and decreases of the amounts appropriated in the 2016 permanent budget that are shown in the accounts listed in Exhibit "A" attached hereto.

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare, for the reason that its immediate implementation is necessary to insure correct budget legislation is on file for the fiscal year 2016. As such an emergency measure, this ordinance shall take effect upon passage by Council and approval by the Mayor.

Passed: _____

President of Council

Attest: _____
Clerk of Council

Received by the Mayor of the City of Niles this _____ day of _____, 2016,
and approved by me as such Mayor this _____ day of _____, 2016.

Mayor

Exhibit A

SAFETY DIRECTOR		
Account Number	Description	Amount Decrease
101-1060-51010	Wages	(\$8,694.00)
101-1060-52050	Workmen's Comp	(\$347.76)
101-1060-52200	PERS	(\$1,217.16)
101-1060-52500	FICA	(\$126.07)
101-1060-53410	Postage	(\$50.00)
101-1060-54010	Office Supplies	(\$100.00)
		(\$10,534.99)
POLICE		
Account Number	Description	Amount Increase
217-1710-51010	Wages	\$60,000.00
217-1710-52050	Workmen's Comp	\$2,100.00
217-1710-52250	Life Insurance	\$168.00
217-1710-52300	Hospitalization	\$33,666.90
217-1710-52350	Unemployment	(\$10,921.75)
217-1710-52450	Dental	\$390.00
217-1710-52500	FICA	\$870.00
		\$86,273.15
FIRE		
Account Number	Description	Amount Increase/Decrease
217-1715-51010	Wages	\$70,000.00
217-1715-52050	Workmen's Comp	\$2,450.00
217-1715-52250	Life Insurance	\$201.60
217-1715-52300	Hospitalization	\$40,400.28
217-1715-52350	Unemployment	(\$20,901.99)
217-1715-52450	Dental	\$468.00
217-1715-52500	FICA	\$947.17
		\$93,565.06
Safety Service Complex		
Account Number	Description	Amount Increase
101-1031-51010	Wages	\$20,904.00
101-1031-52050	Workmen's Comp	\$731.64
101-1031-52200	PERS	\$4,417.92
101-1031-52250	Life Insurance	\$67.20
101-1031-52300	Hospitalization	\$5,580.96
101-1031-52450	Dental	\$207.00
101-1031-52500	FICA	\$303.11
		\$32,211.83
Building & Zoning		
Account Number	Description	Amount Increase
101-1050-51010	Wages	\$10,176.40

101-1050-52050	Workmen's Comp	\$356.17
101-1050-52200	PERS	\$1,424.70
101-1050-52350	Unemployment	\$3,330.00
101-1050-52500	FICA	\$147.56
		\$15,434.83
Police Pension		
Account Number	Description	Amount Increase
215-1515-52100	P&F Pension	\$1,152.48
Police Pension		
Account Number	Description	Amount Increase
216-1616-52100	P&F Pension	\$3,858.57

Hospitalization		
Account Number	Description	Expense Decrease
101-1002-52300	Hospitalization	(\$2,389.12)
101-1003-52300	Hospitalization	(\$6,579.91)
101-1004-52300	Hospitalization	(\$479.50)
101-1005-52300	Hospitalization	(\$1,130.93)
101-1006-52300	Hospitalization	(\$25,583.07)
101-1030-52300	Hospitalization	(\$802.19)
101-1031-52300	Hospitalization	(\$14,662.11)
101-1035-52300	Hospitalization	(\$10,270.79)
101-1050-52300	Hospitalization	(\$9,258.61)
217-1710-52300	Hospitalization	(\$116,827.79)
217-1715-52300	Hospitalization	(\$115,674.54)
219-1919-52300	Hospitalization	(\$1,346.68)
221-2121-52300	Hospitalization	(\$16,513.49)
222-2222-52300	Hospitalization	(\$1,346.68)
223-2323-52300	Hospitalization	(\$36,784.99)
224-2424-52300	Hospitalization	(\$2,758.87)
255-5555-52300	Hospitalization	(\$10,773.41)
266-6666-52300	Hospitalization	(\$4,211.37)
501-5151-52300	Hospitalization	(\$63,363.72)
502-5252-52300	Hospitalization	(\$222,433.91)
503-5353-52300	Hospitalization	(\$103,520.46)
		(\$766,712.13)