

City of Niles

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 148-18

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION 90-18, THE UTILITY BILLING
POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the Council approved the utility billing policy on November 7, 2018;
and

WHEREAS, updates to the policy are necessary at this time;

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

SECTION 1: That Council hereby approves the amended Utility Billing Policy, a copy
of which is 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 it is imperative that a
Purchasing Policy be established as soon as possible to give proper guidance to City
officials and employees regarding utility billing issues at the earliest possible time. 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 _____, 2018,
and approved by me as such Mayor this ____ day of _____, 2018.

Mayor

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 149-18

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS FOR INDIGENT LEGAL SERVICES; AND DECLARING AN EMERGENCY

WHEREAS, the City of Niles has a responsibility under the laws of the State of Ohio and the Constitution of the United States of America to provide legal counsel to indigent persons charged with serious offenses and “jailable” offenses in its municipal court; and,

WHEREAS, in furtherance of the fulfillment of this responsibility, the City desires that legal services be provided by the public defender’s office of Trumbull County to indigent persons who are charged with violations of the City’s ordinances; and,

WHEREAS, the City’s current contract for such representation by the public defender’s office expired December 31, 2018.

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

SECTION 1: That the Mayor and Safety Director are hereby authorized to enter into an Agreement with the Trumbull County Commissioners for the provision of legal representation for all indigent defendants charged under the City’s ordinances where there is a possibility of incarceration. The agreement shall commence January 1, 2019 and end on December 31, 2019 for the cost of Eight Thousand Two Hundred Fifty Dollars (\$8,250.00).

SECTION 2: That Council further authorizes the cost for these services be designated in the budget for the year 2019.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare to allow for a new agreement to be executed pursuant to law to assure that said new agreement will be effective on January 1, 2019. As such an emergency measure, this Ordinance shall become effective upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2018 and signed by me as such Mayor on the _____ day of _____, 2018.

MAYOR

City of Niles

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH, PROFATO, LASTIC

DRAFT NO. 150-18

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 30-18, THE PURCHASING POLICY
FOR THE CITY EXEMPTING NON-MATCHING GRANTS OF THE NILES
MUNICIPAL COURT; AND, DECLARING AN EMERGENCY

WHEREAS, the Council approved the amended purchasing policy on November
7, 2018; and

WHEREAS, the Niles Municipal Court has obtained grants which do not require
any matching funds from the City of Niles; and

WHEREAS, the Council desires to exempt all such non-matching grant money
from the Purchasing Policy.

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

SECTION 1: That Council hereby approves the exemption of the Niles Municipal Court
for all non-matching grant money from the Purchasing Policy.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the
interests of the public health, safety and welfare, for the reason that it is imperative that
the non-matching grant money be used at the earliest possible time. 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 _____, 2018,
and approved by me as such Mayor this _____ day of _____, 2018.

Mayor

City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

DRAFT NO. 151-18

ORDINANCE NO. _____

AN ORDINANCE CREATING A TETHERING ORDINANCE, ORDINANCE NUMBER 505.072

WHEREAS, Council has heard from residents of the City concerning the tethering of animals; and

WHEREAS, the tethering of animals creates a danger to the health and safety of the animals;

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

SECTION 1: There is hereby created a new chapter within the Codified Ordinances of Niles to regulate the tethering, housing and sheltering of animals.

SECTION 505.072 HOUSE/SHELTER/TETHER ANIMALS.

(a) No person shall house, shelter or tether an animal in any of the following circumstances:

- (1) If a heat or cold advisory has been issued by a local or state authority or the National Weather Service;
- (2) If a severe weather warning has been issued by a local or state authority or the National Weather Service;
- (3) If the tether is less than twelve (12) feet in length; tethering the dog if such tethering fails to allow the dog to move at least twelve (12) feet or if the device is a pulley system, fails to allow the dog to move a total of twelve (12) feet;
- (4) If the tether allows the animal to touch the fence or cross the property line or cross onto public property;
- (5) If the tether is attached by means of a pinch-type, prong-type, martingale type or choke-type collar or if the collar is unsafe or is not properly fitted;
- (6) If the tether may cause injury or entanglement. Tethering the dog in a manner where the dog is able to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object; or securing an animal with a leash, collar, tether, or other device weighting more than ten percent (10%) of the animal's body weight;
- (7) If the animal is not provided with its needs;
- (8) If the tether is made of a material that is unsuitable for the animal's size and weight or that causes any unnecessary discomfort to the animal;
- (9) If residential premises is vacant or unoccupied.
- (b) As used in this section, "tether" means a rope, chain, cord, dog run or pulley, or similar restraint for holding an animal in place, allowing a radius in which it can move about.
- (c) Whoever violates this section is guilty of a minor misdemeanor on the first offense, a misdemeanor of the fourth degree on the second offense, and a misdemeanor of the first degree on the third or any subsequent offense. Notwithstanding the foregoing penalties, if an animal becomes sick or injured as result of a violation of this section, then whoever violates this section is guilty of a misdemeanor of the first degree.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2018 and signed by me as such Mayor on the _____ day of _____, 2018.

MAYOR

City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

DRAFT NO. 152-18

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE AN AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL; AND, DECLARING AN EMERGENCY

WHEREAS, The City's current agreement for Residential Solid Waste Collection and Disposal is set to expire on December 31, 2018; and,

WHEREAS, so that this service can continue on an uninterrupted basis, Council desires to authorize the Service Director to extend this Contract for three (3) years.

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

SECTION 1: That the Service Director is hereby authorized to execute an extension of the new three year Agreement for Residential Solid Waste Collection and Disposal, which Agreement is to commence in January, 2019

SECTION 2: The new rates for this service are as follows:

2019 - \$10.79 per month
2020 - \$11.18 per month
2021 - \$11.49 per month

SECTION 3: That 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 existing Residential Solid Waste Agreement is to expire on December 31st. 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 measure, it shall become effective at the earliest date allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2018 and signed by me as such Mayor on the _____ day of _____, 2018.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 153-18

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING YEAR END CASH TRANSFERS; AND,
DECLARING AN EMERGENCY

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

SECTION 1: Authorizing the cash transfer of Four Hundred Fifty Thousand and no/100 Dollars (\$450,000.00) from the General Fund Account Transfer Account, No. 101-1090-59000 to the following Funds:

Year End Cash Transfers		
From General Fund TRANSFER Account 101-1090-59000 To:		
FUND 215	Police & Fire 1%	\$350,000.00
FUND 255	Cemetery	\$20,000.00
FUND 404	Fire Truck Replacement	\$80,000.00
		\$450,000.00

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the reason that these funds are to be transferred on a quarterly basis. As such an emergency measure, this Resolution shall take effect immediately upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____, 2018 and signed by me as such Mayor on this ____ day of _____, 2018.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 154.18

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE YEAR-END BUDGET TRANSFERS; AND,
DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes the year-end appropriation budget transfers as attached hereto in Exhibit A

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that these transfers must become effective immediately to provide appropriate funding to the recipient accounts to adjust budget shortfalls before the year ends. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____, 2018 and signed by me as such Mayor on the ____ day of _____, 2018.

MAYOR

2018 YEAR-END TRANSFERS

Year End Appropriation BudgetTransfers		
GENERAL FUND 101 (TRANSFER)		
Account Number	Description	+/- Appropriation
101-1002-51010	WAGES	\$640.00
101-1002-52300	HOSPITALIZATION	\$400.00
101-1002-53450	EDUCATION	(\$640.00)
101-1002-56800	TECHNOLOGY	(\$400.00)
101-1004-52050	WORKER'S COMPENSATION	\$72.77
101-1004-53980	CONTRACTED LABOR	(\$72.77)
101-1006-52300	HOSPITALIZATION	\$5,450.00
101-1006-52500	FICA	\$600.00
101-1050-54200	GASOLINE	\$1,000.00
101-1050-53750	DEMOLITION	(\$1,000.00)
101-1090-57050	MISCELLANEOUS	(\$6,050.00)
PARK FUND 221 (TRANSFER)		
221-2121-54200	GASOLINE	\$1,200.00
221-2121-51010	WAGES	(\$1,200.00)
STREET FUND 223 (TRANSFER)		
223-2323-54300	OPERATIONAL SUPPLIES	\$8,000.00
223-2323-53650	BUILDING REPAIRS	(\$4,000.00)
223-2323-55050	VEHICLE MAINTENANCE	(\$4,000.00)
WATER FUND 501 (TRANSFER)		
501-5151-54200	GASOLINE	\$3,000.00
501-5151-51010	WAGES	(\$3,000.00)
SEWER FUND 503 (TRANSFER)		
503-5353-51010	WAGES	\$20,000.00
503-5353-53650	BUILDING REPAIRS	(\$20,000.00)

City of Niles

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 155-18

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED VARIOUS FUNDS TO VARIOUS FUND ACCOUNTS; AND, DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes the appropriation of Two Thousand Six Hundred Dollars (\$2,600.00) from the Unappropriated Probation Fund 266 to the Fund 266 Probation, Wages, Account No. 266-6666-51010.

SECTION 2: Council hereby authorizes the appropriation of Three Thousand Dollars (\$3,000.00) from the Unappropriated Street Fund 223 to the Fund 223 Street, Gasoline, Account No. 223-2323-54200.

SECTION 3: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2018 and signed by me as such Mayor this _____ day of _____, 2018.

MAYOR