

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 138-19

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

The Council of the City of NILES, TRUMBULL

County, Ohio, met in open session on the day of September, 2019 in Council Chambers with the following members present:

 Smith Profato

 Lastic Marchese

 Kearney Cantola

 McNaughton

_____ moved the adoption of the following Resolution:

WHEREAS, This Council, in accordance with the provisions of Section 5705.281 R.C., previously provided the Alternative Tax Budget Information for the next succeeding fiscal year commencing January 1, 20 **20**; and

WHEREAS, The Budget Commission of TRUMBULL County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill limitation; therefore, be it

RESOLVED, By the Council of the City of NILES, TRUMBULL County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation Column I	Amount to Be Derived From Levies Outside 10M. Limitation Column II	County Estimate Rate to be		Auditor's of Tax Levied Outside 10M. Limit Column IV
			Inside 10 M. Limit Column III	Outside 10M. Limit Column IV	
General Fund (includes County Health)	522,759 39,205		1.75* 0.15		
Road and Bridge Fund					
Cemetery Fund					
Lighting Fund					
Police Pension Fund	78,410		0.30		
Fire Pension Fund	78,410		0.30		
Road District Fund					
Recreation Fund		256,671			1.00
Miscellaneous Funds (Fire Equipment)					
Amb. & Emergency Medical Services Fund					
General (Note) Bond Retirement Fund					
Twp. Motor Vehicle License Fund					
Special Levy Fund					
Capital Equipment Fund					
Permanent Improvement Fund					
Total	718,784	256,671	2.50		1.00
Tangible Reimbursement and PU from State					
Total		0			
		975,455			

TOTAL MILLAGE

3.50

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
General Fund: Current Expense Levy authorized by voters on not to exceed 5 years		
Special Levy Funds: Levy authorized by voters on Recreation Levy- Not to exceed 5 years	03/15/16	1.00

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of Said County.

_____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

- _____ **Smith** _____ **Profato**
- _____ **Lastic** _____ **Marchese**
- _____ **Kearney** _____ **Cantola**
- _____ **McNaughton**

Adopted the _____ day of _____, 20_____

President of Council

Clerk of Council

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, TRUMBULL County, ss.

I, _____, Clerk of the Council of the City of

NILES, within and for said County, and in whose custody the Files and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original of _____

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20_____.

Clerk of Council

NILES, City.

1. A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R.C. or at such later date as may be approved by the Board of Tax Appeals.

No. _____

**COUNCIL OF THE CITY OF
NILES
TRUMBULL**, County, Ohio

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.

(City Council)

Adopted _____, 20_____
Clerk of Council

Filed _____, 20_____
County Auditor

By _____
Deputy

City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

DRAFT NO. 139-19

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE VEHICLES NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the Niles Police Department is in possession of vehicles that are no longer suitable for and not needed for any purpose by the City; and

WHEREAS, the City has chosen GovDeals as the vendor to implement an internet auction to dispose of the vehicles.

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

SECTION 1: That this Council finds that the Police Department is in possession of certain vehicles, namely a **2012 Honda Civic - VIN 19XFB2F86CE055660**, which is obsolete, surplus, has little monetary value, and is no longer needed for any municipal purpose. Council further finds that it will be in the best interest of the City that such property be sold by public internet auction through GovDeals.

SECTION 2: That pursuant to Ohio Revised Code Section 721.15, the City is authorized to sell or dispose of such property by internet auction.

SECTION 3: That the net proceeds of the auction contemplated by this Resolution shall be deposited into the Police Department's Equipment Purchase Account; Account No. 236-3636-563000.

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and, that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5: That this Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that the immediate sale of such obsolete and unneeded municipal property is necessary in order to assist in purchasing replacement parts for other police vehicles. 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

Received by the Mayor of the City of Niles this _____ day of _____, 2019,
and approved by me as such Mayor this _____ day of _____, 2019.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 140-19

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING MONTHLY 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 Six Hundred Twenty Thousand dollars and zero cents (\$620,000.00) from the General Fund Account Transfer Account, No. 101-1090-59000 to the following Funds:

Monthly Cash Transfers	
From General Fund TRANSFER Account 101-1090-59000	To:
FUND 215	Police Pension \$50,000.00
FUND 216	Fire Pension \$50,000.00
FUND 217	Police & Fire 1% \$500,000.00
FUND 221	Park \$20,000.00
	\$620,000.00

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 regular 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 _____, 2019 and signed by me as such Mayor on this _____ day of _____, 2019.

_____ MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 141-19

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED COMMUNITY DEVELOPMENT FUND 228 TO THE COMMUNITY DEVELOPMENT CONTRACTED LABOR ACCOUNT FOR THE DIFFORD DRIVE WATERLINE REPLACEMENT PROJECT; 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 Three Hundred Thousand and no/100 Dollars (\$300,000.00) from the Unappropriated Community Development Fund 228 to the Community Development Contracted Labor Account, Account No. 228-2828-53980.

SECTION 2: 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 _____, 2019 and signed by me as such Mayor this _____ day of _____, 2019.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 142-19

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND TO THE GENERAL FUND SENIOR CENTER CONTRACTED LABOR ACCOUNT; AND, DECLARING AN EMERGENCY

WHEREAS, the Senior Center (SCOPE Center) is in need of repairs to the roof and indoor damages resulting from a storm (insurance claim);

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

SECTION 1: Council hereby authorizes the appropriation of Twenty Two Thousand Eight Hundred Fifteen and 85/100 Dollars (\$22,815.85) from the Unappropriated General Fund to the General Fund Senior Center Contracted Labor Account, Account No. 101-1068-53980 for the upgrade of the Senior Center repairs to the roof and indoor damage.

SECTION 2: 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 _____, 2019 and signed by me as such Mayor this _____ day of _____, 2019.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 143-19

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE DISPOSAL OF CITY-OWNED PROPERTY,
EQUIPMENT AND RECORDS POLICY FOR THE CITY; AND, DECLARING AN
EMERGENCY

WHEREAS, the City is in need of a Disposal of City-Owned Property, Equipment
and Records Policy (attached hereto).

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

SECTION 1: That Council hereby approves the Disposal of City-Owned Property,
Equipment and Records Policy, a copy of which is attached hereto.

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 Disposal of City-Owned Property, Equipment and Records Policy be established as
soon as possible to give proper guidance to City officials and employees 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 _____, 2019,
and approved by me as such Mayor this _____ day of _____, 2019.

Mayor

The City of Niles

Disposal of City-Owned Property, Equipment and Records

Responsible Division- Office of the Mayor
Responsible Officer- Director of Public Service/Safety

August 26, 2019

Next Review- 2022

Policy Statement:

The City of Niles will properly dispose of certain obsolete, surplus items and records, no longer needed for any municipal purpose or hold value to specific departments. This policy shall define the specifications for the disposal or transfer of municipal property. The standards are designed to ensure the efficient utilization of property, maximize the property's residual value, maintain financial accountability and reporting accuracy, ensure compliance with safety/environmental laws and regulations and minimize risk exposure to the city. Standards of personal and professional ethics, applicable laws and regulations, appropriate utilization of resources, and the best interest of the City of Niles govern such participation. This Policy is not all-inclusive. If in doubt or a question arises, please consult with the City Law Director.

Disposal- A retirement of an asset that has become obsolete or has exhausted its useful life.

De minimis- Lacking significance or importance: so minor as to merit disregard.

Surplus property- All tangible assets such as equipment, materials, supplies and furniture that are either no longer in use or for which there is no further plan for use.

Procedure:

SECTION 1: Surplus Disposal

Disposition of surplus property is defined as any property to be traded-in against a new purchase, cannibalized for spare parts, externally transferred, donated to a non-profit charitable/community organization, sold for salvage, or destroyed (waste removal).

City-owned property may not be sold, traded-in, salvaged, scrapped or donated or otherwise disposed of without prior approval from the appropriate department head and or Mayor or Director of Public Service/Safety.

Departments are prohibited from gifting or selling surplus materials directly to city employees and other individuals.

Disposal of surplus property originally procured with local, state, or federal grant or contract funds shall be in accordance with the terms of the grant or contract.

City-owned property and equipment with an original acquisition value of five thousand dollars (\$5,000.00) or more shall be tracked and disposed of in accordance with the city's Capital Asset Policy.

In order to maintain accurate records and facilitate the annual inventory, a disposal form must be completed for any equipment that is disposed of.

Disposal or transfer forms shall be maintained by the Niles City Auditor's Office.

City-owned property and equipment with an original acquisition value of less than five thousand dollars (\$5,000.00) shall be tracked and disposed of in accordance with the following policy.

SECTION 2: Disposal by Internet Auction

At the beginning of each year, it will be the intent of the administration to seek council approval for legislation adopting GOVDEALS.COM, or a similar entity in which the city will auction obsolete items.

The Mayor, Director Public Service/Safety shall present obsolete items to be auctioned to specific Council chairpersons, in relation to the appropriate department for approval.

The administration shall seek Council approval of legislation, outlining specific obsolete items, allowing the administration to advertise certain obsolete items on GOVDEALS.COM.

Once approved by Council, the Mayor, Director Public Service/Safety or a department supervisor shall be responsible to list the items on GOVDEALS.COM and shall serve as the contact person on GOVDEALS.COM.

After approval by Council, items will be listed on GOVDEALS.COM, or a similar entity within 30 days.

The administration shall record and present notification that lists certain obsolete items auctioned, along with the amount of funds secured to Niles City Council.

This policy excludes police impound lot/evidence/unclaimed property, as per Ohio Revised Code.

SECTION 3: Scrap Disposal

All scrap material shall be stored in a secure location throughout each city department.

The Mayor, Director of Public Service/Safety or department heads will assign and instruct employees to dispose of city-owned scrap metal.

City employees shall dispose of city-owned scrap metal, through a local scrap agency. Upon disposal, city employees shall receive a receipt, which will be immediately submitted to the city Auditor's office.

The local scrap agency shall issue direct payments to the City of Niles, Auditor's Office.

SECTION 4: Records Disposal

Employees who dispose of city records shall do so in accordance with Ohio Revised Code.

Bulk record destruction shall be conducted in accordance with the Niles Records Commission Board.

Section 5: Disposal of De Minimis Value Items

Any municipal-owned property or equipment deemed *de minimis* at the discretion of the Mayor, Director of Public Service/Safety or department head, may be disposed of without public notice.

Niles City Council shall permit the Mayor, Director of Public Service/Safety or department head to dispose of individual *de minimis* items, with an estimated depreciation value not exceeding one hundred-fifty dollars (\$150.00).

De minimis items that cannot be sold or donated will be discarded through the city's normal waste removal process.

Section 6: Disposal by Donation

Items that cannot be reused internally may be donated upon resolution from Niles City Council.

The Mayor or Director Public Service/Safety will present items to disposed of by donation to specific Council chairpersons, in relation to the appropriate department for approval.

Section 7: Disposal of Hazardous Substances

Surplus/disposal of hazardous substances (i.e. chemical) should be done only with prior approval from the Mayor, Director of Public Service/Safety or department head.

Disposal of such substances shall be completed through a local recycling agency.

SECTION 8: Disposal by Transfer

Internal departmental transfer of city-owned property, equipment, or surplus items deemed “not necessary for use” for specific departments, may be transferred to another department.

Any department head wanting to dispose of items, by transfer must complete a disposal form. This form shall be verified by the Niles City Auditor’s Office.

SECTION 9: Disposal by Trade

City departments are encouraged to dispose of used vehicles or equipment by offering it for trade-in, if possible, when purchasing new vehicles or equipment.

Niles City Council shall be notified of any potential trade-in, during the purchase of new vehicles or equipment by resolution, when applicable.

SECTION 10: IT Disposal

City departments shall turn over all obsolete, broken, or unwanted technology items to the City IT Specialist for disposal.

The IT Specialist shall ensure that the device is cleared of all pertinent software, data and any city related material before disposal.

Employees who dispose of hard drives shall do so in accordance with Ohio Revised Code.

Disposal of obsolete IT devices that hold no significant value to the city can be completed through the local recycling agency.

Any IT item being considered for disposal shall be done so in accordance with the policy herein.

SECTION 11: Disposal of Real Property

Any sale of real property (real estate) shall be done so in accordance with Ohio Revised Code.

SECTION 12: Theft

This policy applies to all employees of the City of Niles who transfer or dispose of city-owned property or equipment.

All city-owned property or equipment (known as fixed assets) purchased with city funds, including grants and gifts, or donated to the city is the property of The City of Niles.

Any item lost, stolen, misused or vandalized, must immediately be brought to the attention of the appropriate department head and or Mayor/Director of Public Service/Safety. Any of city-owned property or equipment that is lost, stolen, misused or vandalized shall be deemed theft and turned over to the Niles Police Department for investigation.

SECTION 13: Miscellaneous

Disposal shall be completed in accordance with Ohio Revised Code, the ordinances and policies/procedures of the City of Niles.

Ohio Revised Code 721.15 (a) permits the Mayor and or Service/Safety Director to dispose of city-owned property not needed for municipal purposes, with an estimated value of less than one thousand dollars (\$1,000.00).

If the estimated value of city-owned property is one thousand dollars (\$1,000.00) or more, it shall be disposed of in accordance with section 2 of this policy, pursuant to ORC 721.15 (a).

Ohio Revised Code 721.15 (c) permits Niles City Council to discard or salvage municipal property not needed for public use that is obsolete or unfit for the use for which it was acquired, and property that has no value. Niles City Council intends section 5 of this policy to authorize the administration to determine disposal or salvage of municipal property pursuant to ORC 721.15 (c).

Approved:

Amended:

City of Niles, Ohio

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

DRAFT NO. 144-19

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE CONSUMABLE INVENTORY POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the City is in need of a Consumable Inventory Policy (attached hereto).

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

SECTION 1: That Council hereby approves the Consumable Inventory Policy, a copy of which is attached hereto.

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 Consumable Inventory Policy be established as soon as possible to give proper guidance to City officials and employees 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 _____, 2019,
and approved by me as such Mayor this ____ day of _____, 2019.

Mayor

The City of Niles

Consumable Inventory Policy

Responsible Division- Office of the Mayor/Auditor
Responsible Officer- Director of Public Service

August 26, 2019

Next Review- 2022

Policy Statement:

The City of Niles will properly manage and account for consumable inventory that is found to serve any purpose or hold value to the city or specific departments. Standards of personal and professional ethics, applicable laws and regulations, appropriate utilization of resources, and the best interest of the City of Niles govern such participation. This Policy is not all-inclusive. If in doubt or a question arises, please consult with the City Law Director.

Consumable Inventory means *all stock material and supplies, purchased or secured by the City of Niles and/or used in connection with the operation and maintenance of the city.*

Procedure:

Each city department head will account for any purchased consumable inventory throughout each fiscal year to reflect an accurate estimate of the city's consumable inventory.

Consumable inventory includes but is not limited to city-purchased road salt, slag, sand, mulch, asphalt grindings, tree chippings, gasoline, spool wire, printing/stationary, cleaning items, etc...

Consumable inventory shall be placed or stored at a secure location with departmental access. Any misuse or theft of consumable inventory shall be deemed theft and turned over to the Niles Police Department for investigation.

Any use of consumable inventory by city employees must have approval from the immediate department supervisor.

Consumable inventory is not intended for personal use and shall not be distributed on privately-owned property. Consumable inventory use is intended only official for City of Niles business/operations.

In accordance with Ohio Revised Code Section 305.18, each city department head shall make an inventory, on the second Monday in January of each year, of all consumable inventory, under the jurisdiction of such city officer or department head. Such inventory shall be a public record, made in duplicate, and one copy shall be filed with the City of Niles Finance Department.

Adequate records must be maintained for consumable assets acquired or constructed from grant funds and be made available for audits.

Any sale of consumable inventory shall be submitted to Niles City Council, through the Finance Committee, for approval. Any disposal of consumable inventory shall be done so in accordance with the City of Niles "Disposal Policy".

Approved:

Amended:

City of Niles, Ohio

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

DRAFT NO. 145-19

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR PROPOSALS TO INSURANCE COMPANY(IES) TO PROVIDE THE CITY OF NILES' PROPERTY, CASUALTY, AND LIABILITY INSURANCE NEEDS; AND DECLARING AN EMERGENCY

WHEREAS, the request for insurance proposals will establish a list of qualified and available companies for the insurance needs of the City.

WHEREAS, the Administration and Council have determined that Requests for Proposals should be solicited to determine the best plan for such insurance needs.

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

SECTION 1: Council hereby authorizes the Service Director to issue a Request for Proposals to provide property, casualty and liability insurance coverage for the City of Niles.

SECTION 2: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare to allow the issuance of the Request for Proposals to begin at the earliest possible date. 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 _____, 2019 and signed by me as such Mayor on this _____ day of _____, 2019.

MAYOR

City of Niles, Ohio

DRAFT NO. 146-19

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: SMITH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE TREASURER TO ENTER INTO CONTRACT WITH THE OHIO AUDITOR OF STATE FOR ASSISTANCE WITH RECONCILIATION AS NEEDED; AND DECLARING AN EMERGENCY

WHEREAS; the City of Niles Treasurer Department needs assistance with reconciliation as needed and the Ohio Auditor of State will provide said assistance.

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

SECTION 1: Council hereby authorizes the Treasurer to enter into contract with the Ohio Auditor of State for assistance with reconciliation as needed. (See attached)

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, and to allow the City to engage the Ohio State Auditor as needed for reconciliation, at the earliest possible date. 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 _____, 2019 and signed by me as such Mayor on the ____ day of _____, 2019.

MAYOR



Local Government Services
88 East Broad Street, Fourth Floor
Columbus, Ohio 43215-3506
(614) 466-4717 or (800) 345-2519
www.ohioauditor.gov

August 22, 2019

Mr. Stephen A. Telego, Sr., City Treasurer
City of Niles
34 West State Street
Niles, Ohio 44446

Dear Mr. Telego:

This letter is to confirm our understanding of the services to be provided to City of Niles by the Local Government Services Section (LGS) of the Office of the Auditor of State.

This document sets forth the terms of the Agreement between the City of Niles and LGS. The effective date of this Agreement shall be the date it is approved and will extend through March 31, 2020.

The scope of the work to be performed under this Agreement is to provide consultation services to the City Treasurer of the City of Niles as it may relate to reconciling from bank to book and other statutory requirements relating to the accounting and reporting functions of the City. The consultant will not engage in any function of management or make management decisions of the City of Niles that would impair the independence of the Office of the Auditor of State.

The City remains responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America as promulgated by the Governmental Accounting Standards Board. It is therefore the responsibility of the City to be in a position in fact and appearance to make informed judgments while reviewing, evaluating, and approving the services provided under this engagement. It is also the City's responsibility to design, implement, and maintain internal controls, including monitoring ongoing activities. The City will designate a management level individual to be the primary contact accountable for overseeing this engagement and who will take responsibility for the appropriateness of the results of this engagement. This individual will perform all management functions and make all management decisions related to this conversion and compilation and will accept full responsibility for such decisions.

It is understood and agreed that the performance of this engagement by LGS will not lessen the scope and extent of the audit work to be performed by the Financial Audit Group of the Office of the Auditor of State.

The scope of the work to be performed under this Agreement is to provide consultation services to the City Treasurer of the City of Niles as it may relate to their job duties, reconciling, Ohio budgetary law, and other statutory requirements relating to the accounting and reporting functions of the City. The consultant will not engage in any function of management or make management decisions of the City of Niles that would impair the independence of the Office of the Auditor of State.

Efficient • Effective • Transparent

Mr. Stephen A. Telego, Sr., City Treasurer
City of Niles
August 22, 2019
Page 2 of 3

All documents provided to LGS in connection with our services including financial records and reports, payroll records, employee rosters, health and medical records, tax records, etc. must be redacted of any personal information before submission. Personal information is defined as social security numbers, dates of birth, drivers' license numbers or financial institution account numbers associated with an individual. The City shall redact all personal information from electronic records before they are transmitted to LGS. This information should be fully blacked out in all paper documents prior to sending them to LGS. If personal information cannot be redacted from any records or documents, the City must identify these records to LGS prior to their submission.

If redacting this personal information impairs the ability of LGS to provide the contracted services, the City and the Auditor of State's Office will consider these exceptions on a case-by-case basis. Additionally, if redacting this information creates hardship on the City in terms of resources, recordkeeping or other issues, the City and LGS may collaborate on alternative methods of providing the City's data to LGS without compromising the personal information on individuals served or employed by the City.

All work papers prepared by the Office of the Auditor of State will remain the property of the Auditor of State. Accordingly, we are responsible for their care and custody. At the conclusion of the contract, we will provide copies of any of the work papers you would like to have for your records. However, the work papers should not be regarded as a part of, or a substitute for, your accounting records.

Management is responsible for identifying and ensuring the City complies with the laws and regulations applicable to its activities. Management is also responsible to prevent and detect fraud. Our engagement cannot be relied upon to disclose errors, fraud, or illegal acts that may exist. However, we will inform the appropriate level of management of any material errors and of any evidence or information that comes to our attention during the engagement that fraud may have occurred. In addition, we will report to you any evidence or information that comes to our attention during the engagement regarding illegal acts that may have occurred, unless they are clearly inconsequential.

We are willing to establish a block of 60 hours at a rate of \$50 per hour or \$3,000. The City will be billed monthly for only those services needed. If we reach the limit, we will provide you with an opportunity to extend the number of hours under this contract.

Upon a 30 day written notice, either party may terminate this Agreement for any reason. Such notice shall be sent by U.S. mail or by personal delivery to Auditor of State, Local Government Services Section, 88 East Broad Street, Fourth Floor, Columbus, Ohio 43215-3506. In the event of such termination, the Auditor of State shall be compensated at the contractually agreed-upon rate for any and all work done to the date of such notice.

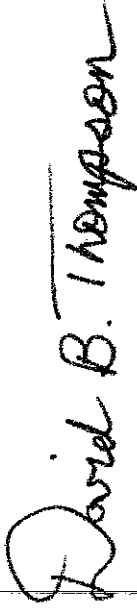
If you are in agreement with the terms of this contract, please have this engagement letter signed and certified in the appropriate spaces and return it no later than September 27, 2019. If we do not hear from you by September 27, 2019, we will assume the City does not wish to contract the services of the Local Government Services Section of the Office of the Auditor of State. Should you have any questions concerning this letter, please do not hesitate to contact Nita Hendryx, Chief Project Manager, at 1-800-443-9271.

Efficient • Effective • Transparent

Mr. Stephen A. Telego, Sr., City Treasurer
City of Niles
August 22, 2019
Page 3 of 3

Sincerely,

KEITH FABER
Auditor of State



David B. Thompson
Interim Chief of Local Government Services

We desire the Auditor of State's office to perform the services described above and agree to the terms and conditions set forth in this letter.

Date: _____

CITY OF NILES

Resolution No: _____

By: _____
Steven Mientkiewicz, Mayor

It is hereby certified that the amount of \$ _____ required to pay this contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of the _____ Fund, free from any obligation or certification now outstanding.

Date: _____

Stephen A. Telego, Sr., City Treasurer

cc: Nita Hendryx, Chief Project Manager
Joey Jones, Chief Auditor

Efficient • Effective • Transparent