

# City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE  
AUTHORIZED BY: SMITH

DRAFT NO. 50-19

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING THE LABOR AGREEMENT BETWEEN THE CITY AND THE AFSCME BARGAINING UNIT; AND, DECLARING AN EMERGENCY

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

SECTION 1: That Council hereby approves the tentative Labor Agreement between the City and the AFSCME Bargaining Unit.

SECTION 2: That the Mayor, Service Director and Auditor are hereby authorized to execute the Labor Agreement on behalf of the City.

SECTION 3: 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 Labor Agreement is to become effective upon passage of this Resolution. 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

# City of Niles, Ohio

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

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DRAFT NO. 51-19

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING THE \$1,000.00 GRANT TO THE FIRE DEPARTMENT AND FOR APPROVING APPROPRIATIONS AND A TRANSFER OF FUNDS TO THE FIRE DEPARTMENT ACCOUNT; AND DECLARING AN EMERGENCY

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

SECTION 1: That Council hereby authorizes acceptance of the one thousand dollars (\$1,000.00) grant.

SECTION 2: That Council hereby authorizes the appropriation of one thousand dollars and zero cents (\$1,000.00) from the Unappropriated General Fund 101 to the General Fund Miscellaneous Transfer Account, Account No. 101-1090-59000.

SECTION 3: That Council hereby authorizes the cash transfer of one thousand dollars and zero cents (\$1,000.00) from the General Fund Miscellaneous General Account, Account No. 101-1090-59000 to the Police & Fire 1% Fund 217.

SECTION 4: That Council hereby authorizes the appropriation of one thousand dollars and zero cents (\$1,000.00) from the Police & Fire 1% Fund 217 to the Fire Grant Account, Account No. 217-1715-56560.

SECTION 5: This Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that funds received were a grant to the fire department. 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 \_\_\_\_\_, 2019,  
and approved by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

# City of Niles, Ohio

SPONSORED BY: FINANCE & PUBLIC GROUNDS COMMITTEES

DRAFT NO. 52-19

AUTHORIZED BY: SMITH & KEARNEY

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE LEASING OF A NEW LAWN MOWER FOR THE CEMETERY DEPARTMENT; AND, DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes the Service Director to enter into contract with Dean's O.P.E. for the lease of a new lawn mower for the cemetery department. Said lease terms are for three (3) years in the amount of Three Thousand, Eight Hundred Thirty Three Dollars and Eighty Three Cents (\$3,833.23) per year. (See attached information)

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare to acquire the new lawn mower in a timely manner. 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 \_\_\_\_\_, 2019 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

# City of Niles

SPONSORED BY: FINANCE COMMITTEE  
AUTHORIZED BY: SMITH

DRAFT NO. 53-19

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED FUNDS TO THE FOLLOWING 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 from the Unappropriated Funds to the following fund accounts:

APPROPRIATION FROM UNAPPROPRIATED FUNDS		
FUND 401 Capital Projects	401-4646-55400 STREET RESURFACING	\$42,485.00
APPROPRIATION FROM UNAPPROPRIATED FUNDS		
FUND 101 General	101-1090-59000 TRANSFER	\$42,485.00

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 COUNCIL MEMBERS

DRAFT NO. 54-19

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE GEAUGA TRUMBULL SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the Geauga Trumbull Solid Waste Management District, by its Solid Waste Management Policy Committee, has adopted a Solid Waste Management Plan for the District; and

WHEREAS, pursuant to Ohio Revised Code Section 3734.55(B), the Board of County Commissioners and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan by ordinance or resolution; and

WHEREAS, the City of Niles, Trumbull County, Ohio have reviewed the Plan and considered it at a duly called meeting; and

WHEREAS, the Plan furthers the public interest; and

NOW THEREFORE BE IT ORDAINED, that the Solid Waste Management Plan of the Geauga Trumbull Solid Management District, adopted by the Solid Waste Management Policy Committee on January 14, 2019, is hereby approved;

AND BE IT FURTHER ORDAINED, that a copy of this Ordinance of Approval shall promptly be delivered, or caused to be delivered, to the Solid Waste Management Policy Committee of the Geauga Trumbull Solid Waste Management District.

THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY, necessary for the immediate preservation of the public health, safety, and welfare for the reason that solid waste management is a primary concern and the activities of the Geauga Trumbull Solid Waste Management District need to proceed without delay.

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. 55-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 14-19, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY

WHEREAS, the Collective Bargaining Agreement has been ratified on \_\_\_\_\_; and

WHEREAS, the authorized strength ordinance of the City of Niles must be amended to reflect this ratification.

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

SECTION ONE: Council hereby authorizes the Third Amendment of the 2019 authorized strength positions and compensations sources as attached hereto.

SECTION TWO: This Ordinance repeals all previously existing authorized strength ordinances and any other ordinances regarding compensation sources or pay rates in conflict with this Ordinance.

SECTION FOUR: 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 necessary to reflect the ratification of the Collective Bargaining Agreement. 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

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

# City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE  
AUTHORIZED BY: MARCHESE

DRAFT NO. 56-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO CHANGE THE ZONING OF A PARCEL OF PROPERTY LOCATED ALONG NORTH MAIN STREET AND STEELE STREET, CURRENTLY OWNED BY HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF NILES; AND, DECLARING AN EMERGENCY

Whereas, Home Federal Savings and Loan Association of Niles is the owner of a parcel of property that is located on the North Main Street and Steele Street; and,

Whereas, this parcel of property has been designated by the Trumbull County Auditor as Parcel Number 25-713620; and,

Whereas, a developer has proposed new construction upon this parcel and is requesting zone changes applicable to the permitted uses of the future businesses.

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

SECTION ONE: That the zoning classification for Trumbull County Auditor's Parcel Number 25-713620; presently zoned HM is hereby changed to B-3 General Commercial District.

SECTION TWO: That the zoning ordinances and zoning map of the City of Niles, Ohio, be and hereby are amended to incorporate the changes set forth herein and in accordance with the property descriptions attached hereto.

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 aid the development of the land affected by this ordinance. 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

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

# City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE  
AUTHORIZED BY: SMITH

DRAFT NO. 57-19.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION THAT THE CITY OF NILES WILL PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN FULL TIME EMPLOYEES OF THE CITY OF NILES PURSUANT TO INTERNAL REVENUE SECTION 414(H) (2); AND, DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to federal and Ohio laws, the City of Niles may offset future salary increases and “pick up” (assume and pay) the contributions statutorily required to be made by full time employees covered by the Ohio Public Employees Retirement System (OPERS), other than elected officials and dispatchers, and such individuals will not be required to pay federal and state income taxes on such contributions.

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

**SECTION 1.** Effective \_\_\_\_\_, the full amount of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the City of Niles for each person within the class of employees established in Section 2 herein. The pickup shall be an offset against future salary increases. This “pick up” by the City of Niles shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within the class of employees established in Section 2 herein. No person subject to this “pick up: shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it “picked up” by the City of Niles or being excluded from the “pick up”. The City of Niles shall, in reporting and making remittance to OPERS, report that the public employee contribution for each person subject to this “pick up” has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

**SECTION 2:** The “pick up” by the City of Niles provided by this Resolution shall apply to all persons that are full time employees of the City, other than elected officials, part-time employees and dispatchers, who are or become contributing members of OPERS.

**SECTION 3:** Under the fringe benefit method of employer pick up, salary is not modified; however the employer will pay the full time employees’ statutorily required contribution to OPERS (except for members of the AFSCME Bargaining unit, elected officials and dispatchers).

**SECTION 4:** The Treasurer and/or the Auditor are hereby authorized and directed to implement the provisions of this Resolution to institute the “pick up” of the statutorily required contributions to OPERS for those positions reflected in Section 2 herein so as to enable them to have their employee contributions paid by their employer..

**SECTION 5:** This Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that OPERS requires this Resolution. This Resolution will be effective as of the date of this signing. As such an emergency measure, it shall become effective upon passage by Council and approval by the Mayor.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.



\_\_\_\_\_  
President of Council

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

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