

# City of Niles, Ohio

SPONSORED BY: UTILITIES COMMITTEE  
AUTHORIZED BY: McNAUGHTON

DRAFT NO. 92-19

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

## A RESOLUTION APPOINTING RICHARD HALE TO THE BOARD OF DIRECTORS OF MEANDER WATER

WHEREAS, the City of Niles is a member of Meander Water (fka Mahoning Valley Sanitary District); and

WHEREAS, one member of the Board of Directors is appointed by each legislative authority from both municipal corporations; and

WHEREAS, the term for said position is to expire May 5, 2019.

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

SECTION 1: In accordance with *Ohio Revised Code* Section 6115.103(B)(4), Council hereby appoints Richard Hale to the Board of Directors of Meander Water.

SECTION 2: The appointment for said position shall commence May 6, 2019 for a three year term, expiring May 5, 2022.

SECTION 3: This Resolution shall become effective at the earliest time allowed by law.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

PASSED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Filed with the Mayor of the City of Niles, Ohio this \_\_\_\_ day of \_\_\_\_\_, 2019, and signed by me as such Mayor this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS COMMITTEE  
AUTHORIZED BY: KEARNEY

DRAFT NO. 93-19

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

A RESOLUTION WAIVING THE SIGN PERMIT FEE FOR THREE DAYS FOR A CITY-WIDE RESIDENTIAL GARAGE OR YARD SALE; AND, DECLARING AN EMERGENCY

WHEREAS, for three days, August 2, August 3 and August 4, 2019, the City of Niles is promoting a city-wide garage sale; and,

WHEREAS, during these three days all residents may conduct a residential garage or yard sale without the required permit.

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

SECTION 1: Council hereby approves the waiving of the permit fee, as required by Niles Codified Ordinance Section 735.05, for any residential garage or yard sale held on August 2, August 3 and August 4, 2019.

SECTION 2: Section 753.03, which restricts residents to two sales per year shall not apply for this city-wide sale garage or yard sale.

SECTION 3: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare and to allow for residents to prepare. As such, this Resolution shall take effect immediately upon its 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: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

DRAFT NO. 94.19

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

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WWTP DESIGN and IMPROVEMENT FUND 403 TO THE WWTP EQUIPMENT PURCHASE ACCOUNT; 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 WWTP Design & Improvement Fund 403 to the following fund account:

WWTP DESIGN & IMPROVEMENT FUND 403		
403-4848-56300	EQUIPMENT PURCHASE	\$100,000.00
TOTAL APPROPRIATION		\$100,000.00

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: UTILITIES COMMITTEE  
AUTHORIZED BY: McNAUGHTON

DRAFT NO. 95-19

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

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE A 37' AERIAL UNIT TRUCK FOR THE LIGHT DEPARTMENT; AND, DECLARING AN EMERGENCY

WHEREAS, the Light Department is in need of a 37' Aerial Unit Truck (Aerial Tower and Accessories) to perform its functions; and

WHEREAS, the 37' Aerial Unit Truck (Aerial Tower and Accessories) can be purchased through the State of Ohio Cooperative Purchasing Program.

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

SECTION 1: Council hereby authorizes the Service Director to purchase a 37' Aerial Unit Truck (Aerial Tower and Accessories) for the Light Department through the State Purchasing Program or, as authorized by law.

SECTION 2: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare and to allow for the purchase at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

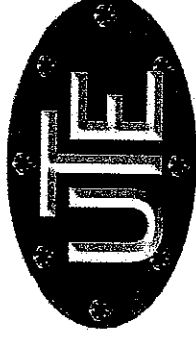
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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 this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR



UTILITY TRUCK EQUIPMENT, INC.  
23893 U.S. 23 SOUTH  
P.O. BOX 130  
CIRCLEVILLE OH 43113

Telephone 740-474-5151

Fax 740-474-4402

## 37' AERIAL UNIT

### AERIAL TOWER AND ACCESSORIES

Versalift model SST-37-EIH insulated aerial tower with a maximum working height of 42', and a maximum horizontal side reach of 27'- 9". Includes the following features and accessories:

- 24" x 30" x 42" enclosed fiberglass platform with cover.
- Full pressure platform mounted 3-function single handle control.
- Full pressure individual lower controls, with upper control override.
- Hydraulic platform leveling system with upper and lower tilt controls.
- Combination articulating/telescoping boom assembly.
- Upper fiberglass telescoping boom with outer boom insert.
- Articulating steel lower boom assembly.
- ANSI category "C" insulation rating for 46KV and below.
- 360 degree continuous rotation.
- Center mount pedestal at front of body, with booms stowed to the rear.
- Two (2) vertical hydraulic outriggers between cab and body.
- Outrigger / boom interlock system.
- 12 gallon integral oil reservoir located in pedestal.
- 3 GPM open center hydraulic system.
- Engine driven clutch pump assembly with brake interlock.
- One (1) set of hydraulic tool outlets located at platform.
- Remote engine stop/start system with upper and lower controls.
- 2-speed engine throttle system with upper, lower, and curbside rear controls.
- 12 volt emergency power system with upper and lower controls.
- Upper boom storage cradle with ratchet type tie down strap.
- Tubular rubber platform support.
- Safety harness and lanyard.
- Two (2) operator/service manuals.
- Finish paint DuPont 43007 yellow urethane.
- ANSI A92.2 data plate.
- Inclinometer each side on rear of body.
- Complete installation and testing of aerial tower and accessories.



### AERIAL SERVICE BODY

Fiberglass service body, 132" long, 94" wide, with 18" deep side compartments. Includes the following features and accessories:

- Heavy duty 6" steel body understructure.
- Body modification for installation of aerial tower.
- Stainless steel hinges and recessed two stage paddle latches.
- Steel treadplate cargo area floor.
- Door holders on all side compartment doors.
- Automotive bulb type rubber door seals on all body doors.
- Deluxe interior package with material trays, hooks, and long shelf storage.
- Curbside #2 access opening with steps to cargo area.
- 30" full width steel treadplate rear tailshelf.
- Removable rear tailboard.
- ICC rear bumper with gripstrut step each side.
- Grab rail installed at curbside rear.
- Two (2) composite outrigger pads and holders.
- Two (2) rubber wheel chocks and holders.
- Combination ball / pintle hook assembly.
- Fire extinguisher, first aid kit, and triangle reflector kit.
- Standard LED lighting package.
- LED rope lighting in each compartment with dash switch.
- Four (4) light strobe system, including two (2) Hella LED amber strobes at front of body, and two (2) 417SA amber strobe type flashers in tailshelf.
- Lighted master switch on dash.
- Electric back up alarm.
- Rear trailer receptacle.
- Rear mud flaps.
- Standard DuPont 43007 yellow gelcoat finish on sideboxes.
- Complete installation of body and accessories.

**STANDARD UNIT PRICE.....\$68,277.00.**

**CONTRACT DISCOUNT.....(\$5462.00).**

**TOTAL F.O.B. DESTINATION.....\$62,815.00.**



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### **CURBSIDE COMPARTMENTATION**

First Vertical – Three (3) adjustable shelves with adjustable dividers.

Second Vertical - Two (2) adjustable shelves with adjustable dividers.

Third Horizontal – Two (2) full length divider shelves, one (1) in center and one on bottom of compartment, each with twelve (12) adjustable dividers.

Fourth Vertical – Two (2) adjustable shelves with adjustable dividers. ILO hooks

### **STREETSIDE COMPARTMENTATION**

DELETE HOT STICK SHELF AND REAR DOOR

First Vertical – Three (3) adjustable shelves with adjustable dividers.

Second Vertical - Two (2) adjustable shelves with adjustable dividers.

Third Horizontal - Two (2) full length divider shelves, one (1) in center and one on bottom of compartment, each with twelve (12) adjustable dividers.

Fourth Vertical - Two (2) adjustable shelves with adjustable dividers.



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## STANDARD UNIT OPTIONS

<u>OPTION #</u>	<u>PRICE EACH</u>
1) 40' aerial tower in lieu of 37.	\$1800.00
2) Truguard 2.0 upper control dielectric isolation system.	No Charge
3) Non-insulated aerial tower in lieu of insulated. <b>DEDUCT</b>	(\$950.00)
4) 4-function single handle upper control in lieu of 3-function.	\$765.00
5) 180-degree hydraulic platform rotator.	\$1615.00
6) 50 KV 24" x 30" platform liner.	\$5665.00
7) 24" x 42" platform with cover and dual platform supports (reduces platform capacity by 50 pounds, 100 pounds with rotator).	\$750.00
8) 50KV 24" x 42" platform liner.	\$590.00
9) 24" x 30" walk-in platform with L.H. door.	\$420.00
10) Fiberglass lower boom insert ( <b>insulated unit only</b> ).	\$1615.00
11) Torsion bar stabilizers in lieu of outriggers. <b>DEDUCT</b>	(\$1375.00)
12) Torsion bar stabilizers <b>in addition to outriggers</b> .	\$3840.00
13) Hydraulic tool outlets at curbside rear of tailshelf.	\$930.00
14) 36 volt hybrid "electric drive" system to provide hydraulic power for all tower, tool circuit, and outrigger functions. Provides on-demand power ( <b>FORD F550 ONLY</b> ).	\$25,970.00
15) Standard non-metallic colors other than white. Matching color on tower and body. DuPont #43007 yellow	\$1145.00
16) Ziebart rustproof chassis cab and body understructure.	\$750.00
17) Aluminum understructure with aluminum treadplate cargo floor.	\$1150.00
18) Aluminum treadplate cargo wall liners and compartment tops.	\$1050.00
19) Fiberglass transverse compartment with aluminum treadplate overlay, between front verticals, with top opening lid and center shelf (front comp. Hooks 2-0-2) <b>(AVAILABLE WITH 40' TOWER, OPTION # 1 ONLY)</b> .	\$985.00
20) Pull out drawer in bottom of transverse ( <b>WITH OPTION #18 ONLY</b> ).	\$540.00
21) 18" wide through tunnel under tailshelf, door each side.	\$660.00
22) Through shelf from horizontal to rear in top of curbside sidebox with rear door and top opening lid above horizontal compartment.	\$640.00
23) Aluminum ladder rack assembly, installed.	\$965.00
24) #2 curbside comp. with shelving in lieu of access opening.	No Charge
25) Curbside tailshelf access steps in lieu of #2 access opening.	\$440.00

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26) Curbside #4 access opening in lieu of #2 access opening.	No Charge
27) Aluminum gripstrut installed full length of sidebox, per side.	\$640.00
28) Rod lock door system for side compartments.	\$475.00
29) D-ring 3-point latches in lieu of rotary latches on side compts.	\$1050.00
30) Additional divider shelves, each.	\$105.00
31) Two (2) pull-out material drawers with criss-cross dividers under shelf in horizontal.	\$735.00
32) Aluminum wheel well liners.	\$380.00
33) Complete 60" C.A. package in lieu of 84" C.A. - <b>DEDUCT</b>	(\$1350.00)

#### NOTES

- Requires selection of the appropriate chassis. Customer furnished chassis must meet minimum requirements for installation of equipment.
- Delivery: Approximately 240-270 days after receipt of order.
- Terms: 1%-20 days or Net 30 days.

We appreciate the opportunity to assist with your equipment requirements. If you have any questions or require additional information, please contact us at your earliest convenience.



DECEMBER 2018

OHIO STS CONTRACT #800463

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UTILITY TRUCK EQUIPMENT, INC.  
23893 U.S. 23 SOUTH  
P.O. BOX 130  
CIRCLEVILLE OH 43113

Telephone 740-474-5151

Fax 740-474-4402

GENERAL OPTIONS FOR ALL UNITS

STANDARD UNIT OPTIONS

<u>OPTION #</u>	<u>PRICE EACH</u>
34) Lower boom operation from 3 function Unitrol handle with Telescoping boom on individual lever, SST and VST units.	\$300.00
35) Hard plastic lower boom saddle (not avail. on all units).	\$360.00
36) Boom out-of-stow light on chassis dash.	\$320.00
37) Outrigger warning alarms, per set of two (2).	\$460.00
38) 1TB bucket tool tray.	\$145.00
39) 3TB inside bucket tool tray.	\$175.00
40) Hastings tool board with pouch.	\$250.00
41) Hastings tool tray / tool board combination.	\$450.00
42) Hastings hang-on bucket step.	\$240.00
43) Hastings saw scabbard, inside or outside mount.	\$345.00
44) Hastings hydraulic impact holster.	\$210.00
45) Bucket scuff pad with step, with or without liner.	\$325.00
46) Hastings single conductor holder, for square jib.	\$975.00
47) Hastings single conductor holder, for round jib.	\$395.00
48) Chance PST4002856 conductor holder for 4" square jib.	\$1630.00
49) Winch and Jib storage post for cargo area.	\$400.00
50) Two (2) Dica D1818 outrigger pads and holders.	\$950.00
51) Two (2) Dica D24242 outrigger pads and holders.	\$1285.00
52) D-ring 3-point latches in lieu of standard, per door (glass body).	\$145.00
53) 72" x 18" x 12" aluminum top box with center top lid.	\$1950.00
54) 96" x 18" x 12" aluminum top box with two (2) lids.	\$2390.00

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\$600.00

\$450.00

\$1410.00

\$1875.00

\$425.00

\$420.00

\$840.00

\$560.00

\$640.00

\$360.00

\$420.00

\$200.00

\$1680.00

Two on compartment top and two across rear #4 compartments

68) Golight Stryker model 3067 wireless remote control spotlight. \$1050.00

69) Golight Stryker model 30004 LED wireless remote control spotlight.\$1390.00

70) Night Ray NR-755-20KFDW Wireless remote control spotlight. \$1315.00

71) Streamlight 45861 LED spotlight with charger base. \$475.00

72) Unity standard 6" post mount spotlight, per side. \$485.00

73) Unity LED 6" post mount spotlight, per side \$735.00 x (2) \$1470.00

74) Additional Hella H27113001 12 volt amber LED strobes, each. \$570.00

75) Whelen L31HPF green/amber strobes ILO standard, 2 x \$360.00 \$720.00

76) Additional Whelen L32LAF or L31HAF strobes, each. \$900.00

77) Additional Whelen 2GA00FAR LED amber warning lights, each. \$730.00

78) Soundoff Signal NRoads LED high dome double beacon in lieu standard. \$435.00

79) Additional NRoads LED high dome double beacon, each. \$925.00

80) Soundoff Signal Pinnacle mini LED light bar, each. \$1060.00

81) Tomar model 970L-4980-0102 light bar assembly installed on roof with controller in cab. \$4080.00

82) Ecco LED cargo spot or flood light. \$485.00

83) LED underbody lighting kit for night operations. \$1075.00



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- |  |           |
|--|-----------|
| 84) LED tractor mount lights at rear under tailshelf, wired to back up light circuit or a dash mounted control switch.   | \$475.00  |
| 85) 1200-watt pure sine wave inverter, dash switch, rear receptacle.   | \$2475.00 |
| 86) 1800-watt pure sine wave inverter, dash switch, rear receptacle.   | \$3200.00 |
| 87) Whelen TAM83 LED traffic control light bar at rear center under tailshelf with dash mounted controller.  | \$1525.00 |
| 88) Mobile Awareness VisionStat backup camera system.  | \$1240.00 |
| 89) Mobile Awareness VisionStat Plus backup camera w/ sensors.   | \$1845.00 |
| 90) UTE grounding system with tower, body, and grounding stirrup attached to a single point on chassis frame. Includes curbside rear grounding stirrup.  | \$785.00  |
| 91) Hannay SGR10-17-19 spring retractable ground wire reel with 50' of 1/0 cable and clamp. Reel to be grounded to a single location on chassis frame.   | \$1730.00 |
| 92) Hastings yellow retractable grounding reel with 50' of 1/0 yellow Cable and grounding clamp. Reel to be grounded to a single Location on chassis frame.  | \$2490.00 |
| 93) Ram computer mount in chassis cab.   | \$590.00  |
| 94) Warn 16,500# winch mounted on the front bumper. Includes heavy duty grille guard, 90' x 7/16" wire rope, 4-way roller, hand-held control pendant and complete installation (Ford F550 or Dodge 5500 only). | \$5590.00 |
| 95) Remote engine stop/start switch at curbside rear (aerial unit only).   | \$300.00  |



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## STANDARD OPTIONS

1) 60" C.A. in lieu of 84" C.A.	DEDUCT	(\$170.00)
2) Extended cab in lieu of regular cab.		\$2295.00
3) 4-door crew cab in lieu of regular cab.		\$3350.00
4) V-10 gasoline engine in lieu of diesel.	DEDUCT	(\$6950.00)
5) Cab running board and step combination.		\$385.00
6) 4 wheel drive package.		\$3550.00
7) 7500# front GAWR.		\$195.00
8) Max traction tires all around (with option #6 only).		\$175.00
9) Electronic shift-on-the-fly for 4x4 package.		\$200.00
10) Trailer brake controller.		\$295.00
11) Keyless entry, power windows and door locks, heated mirrors.		\$890.00
12) Cloth 40/20/40 seat.		\$125.00
13) Vinyl 40/mini console/40 seat (regular cab only).		\$390.00
14) Cloth 40/mini console/40 seat.		\$530.00
15) XL appearance package.		\$965.00
16) XLT package.		\$4350.00
17) Sync Bluetooth package.		\$930.00
18) Ford School bus yellow paint.		\$900.00
19) Ford backup camera system, installed.		\$1175.00
20) Additional smart key.		\$275.00
21) Polished Aluminum wheels.		\$1275.00
22) Service CD ROM.		\$250.00

NILES SST37-BFX-FORD GAS 1-19-2019

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DECEMBER 2018

### SUMMARY SHEET FOR CITY OF NILES 37' AERIAL PACKAGE

#### BASE PACKAGE PRICE

6) 50 KV 24" x 30" platform liner.	\$62,815.00
10) Fiberglass lower boom insert (insulated unit only).	\$565.00
11) Torsion bar stabilizers in lieu of outriggers.	\$1615.00
15) Standard non-metallic colors other than white. Matching color on tower and body. DuPont #43007 yellow	(\$1375.00)
17) Aluminum understructure with aluminum treadplate cargo floor.	\$1145.00
21) 18" wide through tunnel under tailshelf, door each side.	\$1150.00
23) Aluminum ladder rack assembly, installed.	\$660.00
24) #2 curbside compt. with shelving in lieu of access opening.	\$965.00
25) Curbside tailshelf access steps in lieu of #2 access opening.	No Charge
29) D-ring 3-point latches in lieu of rotary latches on side compts.	\$440.00
	\$1050.00

#### GENERAL OPTIONS FOR ALL UNITS

1) Lower boom operation from 3 function Unitrol handle with Telescoping boom on individual lever, SST and VST units.	\$300.00
29) Reese receiver with removable "L" shaped vice bracket.	\$560.00
34) 6" PVC storage tube with aluminum canister kit, each, up to 10' long, installed exterior. (4) X \$420.00 <u>Two on compartment top and two across rear #4 compartments</u>	\$1680.00
40) Unity LED 6" post mount spotlight, per side \$735.00 x (2)	\$1470.00
42) Whelen L31HPF green/amber strobes ILO standard, 2 x \$360.00	\$720.00
53) 1800-watt pure sine wave inverter, dash switch, rear receptacle.	\$3200.00
62) Remote engine stop/start switch at curbside rear (aerial unit only).	\$300.00

#### FORD F550 CHASSIS BASE PRICE

4) V-10 gasoline engine in lieu of diesel.	\$44,495.00
5) Cab running board and step combination.	(\$6950.00)
10) Trailer brake controller.	\$385.00
Provide chassis with standard Ford Gloss Black	\$295.00
	<u>NO CHARGE</u>

**TOTAL CONTRACT PRICE WITH OPTIONS IN RED INCLUDED \$115,485.00**

NILES SST37-BFX-FORD GAS 1-19-2019



DECEMBER 2018

NILES 37 FT. AERIAL PACKAGE ADDITIONAL REQUESTED ITEMS

The following equipment is available at the price shown and must be ordered by a separate purchase order at the time of contract order above.

Provide additional shelving; (3) vertical divider shelves, (1) horizontal divider shelf, and delete the hot stick shelf and door and the hooks in rear curbside vertical compartment.....\$ NO CHARGE.

Install stop on telescoping boom to permit platform stow to the extreme left hand side of the tailshelf.....\$300.00.

Three (3) LED flush mounted cargo lights on body, one at rear step assembly,  
One on curbside #4 and one on curbside #2, .....\$975.00.

Provide removable bolt down cut out plate to access the top of the chassis fuel tank. Install additional supports where necessary.....\$650.00.

Install streetside rear tailshelf grab rail.....\$350.00.

**TOTAL FOR SEPARATE ITEMS.....\$2275.00.**

# City of Niles

SPONSORED BY: IMPROVEMENTS COMMITTEE  
AUTHORIZED BY: LASTIC

DRAFT NO. 96-19

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

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUNDS AND SEWER FUNDS TO THE FOLLOWING FUND ACCOUNTS; AND, DECLARING AN EMERGENCY

WHEREAS, funds are needed for the McKee's Lane Sewer Project.

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

SECTION 1: Council hereby authorizes the appropriation from the Unappropriated Capital Projects Funds and Sewer Fund to the following fund accounts:

APPROPRIATIONS		
CAPITAL PROJECTS FUND 401		
Account Number	Description	+/- Appropriation
401-4646-56560	GRANTS	\$260,040.00
TOTAL APPROPRIATION		\$260,040.00
SEWER FUND 503		
503-5353-56560	GRANTS	\$297,411.00
TOTAL APPROPRIATION		\$297,411.00

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 MEMBERS OF COUNCIL

DRAFT NO. 97-19

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

A RESOLUTION APPROPRIATING FUNDS FROM UNAPPROPRIATED PARK FUND AND THE UNAPPROPRIATED CEMETERY FUND 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: That Council hereby authorizes the appropriation from the Unappropriated Park Fund and the Unappropriated Cemetery Fund to the following fund accounts:

APPROPRIATIONS		
PARK FUND 221		
Account Number	Description	+/- Appropriation
221-2121-51010	WAGES	\$10,000.00
221-2121-52050	WORKER'S COMPENSATION	\$1,000.00
221-2121-52200	PERS	\$20,162.00
221-2121-52250	LIFE INSURANCE	\$15.00
221-2121-52300	HOSPITALIZATION	\$2,100.00
221-2121-52500	FICA	\$125.00
221-2121-53980	CONTRACTED LABOR	\$10,000.00
<b>TOTAL APPROPRIATION</b>		<b>\$43,402.00</b>
CEMETERY FUND 255		
255-5555-51010	WAGES	\$5,600.00
255-5555-52050	WORKER'S COMPENSATION	\$200.00
255-5555-52200	PERS	\$1,500.00
255-5555-52250	LIFE INSURANCE	\$15.00
255-5555-52300	HOSPITALIZATION	\$2,100.00
255-5555-52500	FICA	\$100.00
255-5555-55200	BUILDING MAINTENANCE	\$2,000.00
<b>TOTAL APPROPRIATION</b>		<b>\$11,515.00</b>

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. 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: COUNCIL AS A WHOLE      DRAFT NO. 98-19  
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

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

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS CONTRACTED LABOR ACCOUNT FOR MAINTENANCE TO THE NILES GREENWAY BIKE TRAIL; AND, DECLARING AN EMERGENCY

WHEREAS, The Niles Greenway Bike Trail needs maintenance.

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

SECTION 1: Council hereby authorizes the appropriation of Twenty Thousand and no/100 Dollars (\$20,000.00) from the Unappropriated General Fund 101 to the General Fund Miscellaneous Contracted Labor Account, Account No. 101-1090-53980.

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: UTILITIES COMMITTEE  
AUTHORIZED BY: McNAUGHTON

DRAFT NO. 99-19

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

A RESOLUTION AUTHORIZING LINE ITEM TRANSFERS WITHIN THE WATER DEPARTMENT; AND, DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes line item transfers in the amount of Twelve Thousand Dollars and Zero Cents (\$12,000.00) from the Water Maintenance Materials Account 501-5151-55350 to Water Operational Supplies Account 501-5151-54300.

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 the funds are needed in the recipient account. 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 this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE      DRAFT NO. 100-19  
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

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

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS MAINTENANCE MATERIALS ACCOUNT AND FROM THE UNAPPROPRIATED GENERAL FUND 101 TO THE GENERAL FUND MISCELLANEOUS CONTRACTED LABOR ACCOUNT FOR STREET DEPARTMENT MATERIALS and DUMP BED; 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 Twenty Thousand and no/100 Dollars (\$20,000.00) from the Unappropriated General Fund 101 to the General Fund Miscellaneous Maintenance Materials Account, Account No. 101-1090-55350.

SECTION 2: Council hereby authorizes the appropriation of Twenty Five Thousand and no/100 Dollars (\$25,000.00) from the Unappropriated General Fund 101 to the General Fund Miscellaneous Contracted Labor Account, Account No. 101-1090-53980.

SECTION 3: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare as the Street Department needs the funds. 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. 101-19

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, non-union, non-elected employees, 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

# City of Niles, Ohio

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

DRAFT NO. 102-19

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

AN ORDINANCE AMENDING ORDINANCE NO. \_\_\_\_\_, KNOWN AS THE AUTHORIZED STRENGTH ORDINANCE, AND DECLARING AN EMERGENCY

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

SECTION ONE: Council hereby authorizes the authorized strength positions and compensations sources, **EFFECTIVE 07/01/2019** as attached hereto.

SECTION TWO: Council hereby authorizes the authorized strength positions and compensations sources, **EFFECTIVE 01/01/2020** as attached hereto.

SECTION THREE: 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 be in effect prior to the effective dates. 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: COUNCIL AS A WHOLE  
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

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DRAFT NO. 103-19

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

A RESOLUTION AUTHORIZING THE MAYOR ND/OR SERVICE DIRECTOR TO ADVERTISE FOR QUOTES FOR GRASS CUTTING SERVICES; AND, DECLARING AN EMERGENCY

WHEREAS, the City is in need of grass cutting services; and,

WHEREAS, any quotes will be conducted in accordance with the City of Niles' Purchasing Policy.

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

SECTION 1: That Council hereby authorizes the Mayor and/or Service Director, to advertise for quotes and enter into contract for the grass cutting services for the City.

SECTION 2: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare and to allow the bidding process 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.

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

DRAFT NO. 104-19

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

A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS; AND, DECLARING AN EMERGENCY

WHEREAS, the Local Government Fund was reduced in 2011 by 50% during the Kasich Administration, from 3.68% of General Revenue Funds to its current level of 1.66% of General Revenue Funds; and

WHEREAS, past Ohio General Assemblies have repeatedly decreased funding and revenue sharing in recent years in addition to significantly reducing the Local Government Fund, including eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

WHEREAS, these reductions have resulted in a loss of revenue of \$ \_\_\_\_\_; and

WHEREAS, this sudden revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, and bolster public safety services to fight the opioid epidemic; and

WHEREAS, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well.

WHEREAS, a reinvestment of Local Government Fund would aid the state in its goal of lowering taxes on the individual by enabling municipalities to decrease the local tax burden.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Niles, Ohio that:

SECTION 1. The Ohio General Assembly should restore the Local Government Fund to pre-recession levels, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

SECTION 2. This Council does hereby declare its opposition any further cuts to the Local Government Fund or the future diversion of revenues from the Local Government Fund.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2019;  
\_\_\_\_\_ Yeas; \_\_\_\_\_ Nays.

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

DRAFT NO. 105-19

RESOLUTION NO. \_\_\_\_\_  
**CONSENT LEGISLATION**

RC 5521.01

Resolution#

PID No. 98505

County/Route/Section TRU US-422/SR-193-17.53/6.78

The following is Resolution \_\_\_\_\_ enacted by the \_\_\_\_\_ City of Niles \_\_\_\_\_ of Trumbull County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

## **SECTION I - Project Description**

WHEREAS, the (LPA/STATE) has identified the need for the described project:

Resurfacing of TRU US 422 just east of Niles-Vienna Road to the Girard Corp. Limit.

NOW THEREFORE, be it ordained by the \_\_\_\_\_ City of Niles \_\_\_\_\_ of Trumbull County, Ohio, (LPA)

## **SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

## **SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

## **SECTION IV - Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

## **SECTION V - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

## **SECTION VI - Authority to Sign**

The Mayor and/or Service Director \_\_\_\_\_ of said \_\_\_\_\_ City of Niles \_\_\_\_\_ is hereby empowered (Contractual Agent) \_\_\_\_\_ (LPA) on behalf of the \_\_\_\_\_ City of Niles \_\_\_\_\_ to enter into contracts with the Director of (LPA)

Transportation which is necessary to complete the above described project.

Passed: \_\_\_\_\_, \_\_\_\_\_ (Date)

Attested: \_\_\_\_\_ (Clerk) \_\_\_\_\_ (Officer of LPA - title)

Attested: \_\_\_\_\_ (Title) \_\_\_\_\_ (President of Council)

This Resolution \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY  
STATE OF OHIO

City of Niles \_\_\_\_\_ of \_\_\_\_\_ Trumbull \_\_\_\_\_ County, Ohio,  
(LPA)

\_\_\_\_\_, as Clerk of the \_\_\_\_\_ City of Niles  
(LPA)

of \_\_\_\_\_ Trumbull \_\_\_\_\_ County, Ohio, do hereby certify that the forgoing is a true and correct copy of \_\_\_\_\_ Resolution \_\_\_\_\_ adopted by the legislative Authority of the said City of Niles \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ June \_\_\_\_\_, 20 \_\_\_\_\_ 19 \_\_\_\_\_ (LPA)

that the publication of such \_\_\_\_\_ Resolution \_\_\_\_\_ has been made and certified of record according to law; that no proceedings looking to a referendum upon such \_\_\_\_\_ Resolution \_\_\_\_\_ have been taken; and that such \_\_\_\_\_ Resolution \_\_\_\_\_ (Ordinance/Resolution) and certificate of publication thereof are of record in \_\_\_\_\_ Resolution \_\_\_\_\_ Page \_\_\_\_\_ (Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_.

CITY SEAL

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
City of Niles \_\_\_\_\_ of \_\_\_\_\_ Trumbull \_\_\_\_\_ County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the \_\_\_\_\_ City of Niles \_\_\_\_\_ of \_\_\_\_\_ Trumbull \_\_\_\_\_ County, Ohio  
(LPA)

Attest: \_\_\_\_\_, Date \_\_\_\_\_

\*\*\*\*\*

For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

# City of Niles, Ohio

SPONSORED BY: UTILITIES COMMITTEE  
AUTHORIZED BY: McNAUGHTON

DRAFT NO. 106-19

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

## AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 149.10; AND, DECLARING AN EMERGENCY

Whereas, Codified Ordinance No. 149.10 regards property owner's responsibilities regarding property utility accounts; and

Whereas, Council desires to update this ordinance.

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

SECTION ONE: Codified Ordinance No. 149.10 is hereby amended to read as follows:

### **149.10 PROPERTY OWNER'S RESPONSIBILITY REGARDING PROPERTY UTILITY ACCOUNTS.**

(a) The maintenance of utility service connections being a substantial and valuable benefit to property, any owner of real estate premises maintaining such utility service connections, whether owner occupied, leased, or any other status, shall assume responsibility for the total of all City utility service charges levied against the premises during such ownership, i. This assumption of responsibility shall be a necessary condition to the continuance of utility services at the premises, and the failure to pay such charges when billed in accordance with the provision of the Codified Ordinances shall constitute grounds for the City to do any or a combination of the following enforcement and collection actions:

- (1) Refuse to initiate or restore utility services at the premises.
  - (2) To shut off utility services at the premises.
  - (3) To place a lien on the premises in the aggregate amount of any unpaid City utility service charges and related penalty and administrative fees.
- Similarly, the property owner shall be responsible for paying charges in connection with utility services consumed at leased property where such services have not been shut off upon the vacation of the premises by the last tenant who maintained a utility account with the City.

(b) Property owners who lease property to commercial or residential tenants under circumstances in which the tenants establish individual accounts for City utility services, shall be required to complete and sign an acknowledgment of responsibility concerning the obligation to pay charges for utility services. The acknowledgment shall be in a form established by the City that the City may notify the property owner in the event that a tenant's utility account becomes delinquent. Notification to the property owner of delinquent utilities and termination of services for delinquent tenant accounts will be made pursuant to the Administration's billing policy in effect and any future amendments and/or revisions. For commercial properties and single unit residential properties, property owners must sign and return the acknowledgment form to the City before utility services can be initiated or restored for each tenant at the leased property. For multi-unit residential properties, property owners must sign and return a blanket acknowledgment form for each building in which they lease residential units. The lack of a signed acknowledgment, whether from failure or refusal by the owner to sign or for any other reason, does not relieve the property owner from the obligations of this Ordinance, nor preclude the City from utilizing any of the enforcement actions outlined in paragraph (a). If a residential property owner should fail to submit the acknowledgment form, the City may transfer any utility accounts concerning the building for which the property owner has not signed an acknowledgment form into the name of the property owners, and the property owner will be billed and assume primary responsibility for payment for utility services as if he or she were the direct consumer of such utility services.

(c) Undercharges resulting from inaccurate meter reading, clerical error, or any other reason may be billed and the customer shall pay the charges for the entire period of inaccurate billing when that period is discernible, except undercharged billed to residential customers shall

be limited to a maximum of 730 days. There will be no maximum limit of time for cases involving tampering or theft of utility service, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or equipment malfunction causes inaccurate or no measurement of the utility services rendered. Customers shall have the option to pay the undercharged amount over the same number of months as the under charge was accumulated.

SECTION TWO: Existing Codified Ordinance No. 149.10 is 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 the updated code effective at the earliest possible date. 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 the \_\_\_\_ 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. 107-19

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

A RESOLUTION ADOPTING THE RETIRE/REHIRE EMPLOYMENT POLICY FOR  
THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the City is in need of a Retire/Rehire Employment Policy (attached  
hereto).

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

SECTION 1: That Council hereby approves the Retire/Rehire Employment, 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 a  
Retire/Rehire Employment 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

Retire/Rehire Employment Policy

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

June 13, 2019

Next Review- 2022

Policy Statement:

The City of may elect to reemploy retired individuals who possess specified skill sets and experience critical to city operations. This policy will create and maintain a consistent approval process for rehiring retired individuals, as well as allow the city to uphold its obligation to ensure that future staffing needs are met through succession planning. 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.

*\*A rehire employee is defined as any person receiving any pensionable income under any public employee's retirement system, unless specified by law. This policy shall. Not apply to retirees who are employed as a "fiduciary appointment" of an elected official.*

Procedure:

Not less than ninety (90) days prior to the employment of a City retiree/rehire to begin, the administration shall notify City Council that an individual will be retiring and is under consideration for reemployment with the City.

Not less than thirty (30) days prior to the start date of employment, the administration shall document a justifiable need for the rehire. Justification must include a succession plan for the position, any subsequent plans for transitioning of responsibilities, as well as the revenue stream, if any, for which the position contributes.

Rehire employees shall contribute **20%** of the premium cost for health care.

Rehire employees shall only be eligible for the "City Plan" as per the city hospitalization ordinance 163.05.

Rehire employees will contribute 100% of the employee's share of the OPERS pension, (Salary Reduction Method) in accordance with the rules of the Ohio Public Employees Retirement System (OPERS).

Rehire employees shall not be entitled to overtime pay or compensatory time.

During the first year of employment, vacation time shall be determined on a pro-rated basis. Notwithstanding the foregoing, rehire employees shall accrue no more than three weeks (120 hours) of vacation time per year.

Rehire employees shall not be entitled to vacation sellback or year to year accrual.

Sick leave shall be accrued in accordance with the Ohio Revised Code.

Upon separation of employment, rehire employees shall not be entitled to any severability benefits.

The anniversary date for all rehire employees shall be January 1st.

The administration may non-renew the reemployment of a rehire employee without cause. However, the administration shall provide a thirty (30) day notice. Failure to provide a thirty (30) day notice shall automatically renew the employment of a rehire employee for one (1) year.

For those rehire employees currently employed upon passage of City Council, the employment and compensation provisions of this policy shall apply.

Approved:

Amended:



# City of Niles, Ohio

SPONSORED BY: IMPROVEMENTS COMMITTEE      DRAFT NO. 108-19  
AUTHORIZED BY: LASTIC

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

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE 2019 HOT MIX RESURFACING PROGRAM; AND, DECLARING AN EMERGENCY

WHEREAS, the Trumbull County Engineer on behalf of The City of Niles properly advertised and received the competitive bids for the street resurfacing program / 2019 Hot Mix Resurfacing Program; and

WHEREAS, Trumbull County Engineer on behalf of The City of Niles has reviewed the low bidder and found it to be in conformance with all contract requirements; and

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

SECTION 1: That the Service Director is hereby authorized to enter into contract with the lowest and best bidder, Shelly & Sands, Inc., of 1450 North Bailey Road, North Jackson, Ohio, for the 2019 Hot Mix Resurfacing Program (Parts 8A through 8C), for a TOTAL amount of Six Hundred Thirty Three Thousand Nine Hundred Ten and no/100 Dollars (\$633,910.00) for the base bid.

SECTION 2: That the Service Director is hereby authorized to enter into contract with the lowest and best bidder, Shelly & Sands, Inc., of 1450 North Bailey Road, North Jackson, Ohio, for the 2019 Hot Mix Resurfacing Program **Alternate Streets, IF MONEY IS AVAILABLE, (Part 8D)** for a TOTAL amount of One Hundred Forty Eight Thousand Five Hundred Fifteen and no/100 Dollars (\$148,515.00).

SECTION 3: That this Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the reason that the project must be completed. 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 on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

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

DRAFT NO. 109-19

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

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

WHEREAS, the City is in need of an Overtime Policy (attached hereto).

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

SECTION 1: That Council hereby approves the Overtime 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  
an Overtime 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.

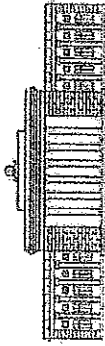
Passed: \_\_\_\_\_

\_\_\_\_\_  
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



Birthplace of William McKinley  
25th President of the United States

## Office of the Mayor

STEVEN MIENTKIEWICZ  
MAYOR



34 West State Street  
Niles, Ohio 44446

330-544-9000 EXT. 1101  
smientkiewicz@thecityofniles.com

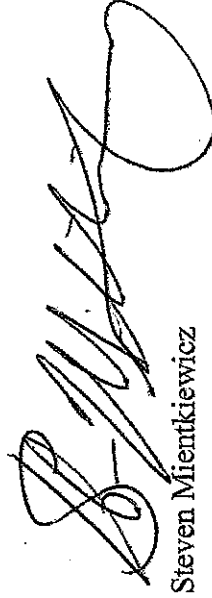
June 17, 2019

*TO: All salaried employees*

*RE: OT POLICY- 24-hour on call/Overtime accrual for salaried employees*

Effective immediately, full time salaried employees and “fiduciary appointments” of elected officials shall not be eligible for overtime pay. All salaried positions within the City of Niles shall be “on-call” at any and all times throughout the entire twenty-four hours of each and every day. The regular salary for each employee shall be full compensation for all work performed by each and no work performed by any salaried employee shall entitle him/her to any additional compensation or any other benefit. The concept of overtime and overtime compensation is being hereby abolished for the following employees (per City of Niles Authorized Strength): Director of Public Service, Director of Public Safety, IT Specialist, Mayor’s Executive Secretary, Municipal Chief Clerk, all municipal court salaried employees, Deputy Auditor, Human Resource Director, City Prosecutor, Law Directors’ Legal Assistant, Utility Billing Manager, Light Department Superintendent, Light Department Assistant Superintendent, Light Department Foreman, Light Department Assistant Foreman, Sewer/Water Department Superintendent, Assistant Water Superintendent/Project Manager/Public Infrastructure Coordinator, Sewer Department Foreman, Park Director, Police Chief, Fire Chief, Building Director, Housing/Zoning Director, and Street Department Superintendent.

Sincerely,

  
Steven Mientkiewicz

MAYOR-The City of Niles

C.c. Niles City Council  
Niles City Auditor  
Niles Law Director