

City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS COMMITTEE
AUTHORIZED BY: SOLLITTO

DRAFT NO. 20 -20
AMENDED

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF LONG ALLEY

WHEREAS, original draft 20-20 was referred by City Council to the planning commission on February 5, 2020; and

WHEREAS, the City of Niles Planning Commission approved the vacation of the alley on February 13, 2020;

WHEREAS, notice pursuant to ORC 723.06 is not required as all owners or property abutting the alley have signed the petition pursuant to ORC 723.04; and

WHEREAS, Council also finds vacation of the alley appropriate under ORC 723.05.

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

SECTION ONE: This Council finds that a petition signed by all property owners of property abutting Long Alley that runs 20' wide from the South Right of Way of Ford Street to the North Right of Way of Harris Street as further described in the Exhibit A has been presented to Council, praying that said portion of Long Alley be vacated. A copy of the Petition and Map are attached hereto as Exhibit A.

SECTION TWO: Council further finds that there is good cause for such vacation of that portion of Long Alley as prayed for, and that such vacation will not be detrimental to the general public interest, and ought to be made.

SECTION THREE: The portion of Long Alley designated on the petition attached hereto is hereby vacated, subject to statutory conditions, and the reservation to the City of Niles of all mineral rights therein.

SECTION FOUR: The Clerk of Council is directed to notify the Auditor of Trumbull County of the vacation, by sending him a copy of this Ordinance.

SECTION FIVE: : This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the vacation of the alley is necessary to realize grant funds for the area. 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 _____, 2020 and signed by me as such Mayor on the _____ day of _____, 2020.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE DRAFT NO. 28-20
AUTHORIZED BY: ALL MEMBERS OF COUNCIL

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS TO HIRE A CONSULTING FIRM FOR THE CDBG PROGRAM AND, DECLARING AN EMERGENCY

Whereas, the CDBG allocation of One Hundred Fifty Thousand and 00/100 (\$150,000.00), is to be used in low-moderate income areas throughout the city;

Whereas, The Service Director will need to issue a Request for Qualifications to hire a Consulting Firm;

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

SECTION 1: That the Service Director is hereby authorized to issue a Request for Qualifications to hire a Consulting Firm for the CDBG Program

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare and to allow the Service Director to issue a Request for Qualifications to begin at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2020 and signed by me as such Mayor on the _____ day of _____, 2020.

MAYOR

City of Niles, Ohio

SPONSORED BY: IMPROVEMENTS COMMITTEE
AUTHORIZED BY: LASTIC

DRAFT NO. 29-20

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND/OR ENTER INTO CONTRACTS FOR THE TRU-WEST PARK/EAST STATE STREET RESURFACING PROJECT AND, DECLARING AN EMERGENCY

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

SECTION 1: That the Service Director is hereby authorized to advertise for bids and/or enter into contracts for the Tru-West Park/East State Street resurfacing project.

SECTION 2: That this Ordinance is hereby 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 Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2020 and signed by me as such Mayor on the _____ day of _____, 2020.

MAYOR

City of Niles, Ohio

DRAFT NO. 30-20

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR GRANT MONEY TO ASSIST IN PURCHASING NEEDED SUPPLIES FOR THE FIRE STATIONS, DECLARING AN EMERGENCY

WHEREAS, the Sam's Club grant is a monetary donation that does not require matching funds from the City; and

WHEREAS, this is the fourth year for application for the donation; and

WHEREAS, the department received an average of \$1000 per application over the last three years.

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

SECTION 1: That the Fire Chief or his designated representative is hereby authorized to apply for the Sam's Club grant to purchase needed supplies for each station.

SECTION 2: This Resolution is declared an emergency measure in the interest of the public health, safety and welfare, and to allow for the requirements of the grant process to be completed as soon as possible. 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 _____, 2020 and signed by me as such Mayor on this ____ day of _____, 2020.

MAYOR

City of Niles, Ohio

DRAFT NO. 31-20

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR THE OHIO EMS GRANT FOR REIMBURSEMENT OF MEDICAL SUPPLIES, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio EMS Grant is a reimbursement to replace expended medical supplies, and

WHEREAS, previous applications provided for reimbursement of \$1000 to \$1500.

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

SECTION 1: That the Fire Chief or his designated representative is hereby authorized to apply for the Ohio EMS for reimbursement of expended medical supplies.

SECTION 2: This Resolution is declared an emergency measure in the interest of the public health, safety and welfare, and to allow for the requirements of the grant process to be completed as soon as possible. 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 _____, 2020 and signed by me as such Mayor on this _____ day of _____, 2020.

MAYOR

City of Niles, Ohio

DRAFT NO. 32-20

SPONSORED BY: SAFETY COMMITTEE
AUTHORIZED BY: MARCHESE

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR THE OHIO FIRE MARSHALL'S GRANT FOR REIMBURSEMENT OF AN INSPECTOR CLASS COMPLETED IN 2019, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Fire Marshall Grant is a reimbursement for money expended for training classes, and

WHEREAS, the Grant will provide for reimbursement of an inspector class completed in 2019.

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

SECTION 1: That the Fire Chief or his designated representative is hereby authorized to apply for the Ohio Fire Marshall Grant for reimbursement for an inspector training class completed in 2019.

SECTION 2: This Resolution is declared an emergency measure in the interest of the public health, safety and welfare, and to allow for the requirements of the grant process to be completed as soon as possible. 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 _____, 2020 and signed by me as such Mayor on this _____ day of _____, 2020.

MAYOR

City of Niles, Ohio

SPONSORED BY: UTILITIES COMMITTEES DRAFT NO. 33-20
AUTHORIZED BY: SMITH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE DISPOSAL OF THE LIGHT DEPARTMENT'S 1985 CAT TOW MOTOR BY INTERNET AUCTION OF CERTAIN OBSOLETE ITEM NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, this item is not needed for any purpose by the City; and

WHEREAS, the City has chosen GovDeals, 5907 Carmicheal Place, Montgomery, Alabama, as the vendor to implement an internet auction, to dispose of the vehicle.

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

SECTION 1: That this Council finds that the Light Department is in possession of a certain item, namely a **1985 CAT TOW MOTOR**, 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 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 4: 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 municipal property is necessary. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

ATTEST: _____

CLERK OF COUNCIL

PRESIDENT 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: UTILITIES COMMITTEES DRAFT NO. 33-20
AUTHORIZED BY: SMITH

RESOLUTION NO. _____

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WHEREAS, this item is not needed for any purpose by the City; and

WHEREAS, the City has chosen GovDeals, 5907 Carmicheal Place, Montgomery, Alabama, as the vendor to implement an internet auction, to dispose of the vehicle.

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

SECTION 1: That this Council finds that the Light Department is in possession of a certain item, namely a **1985 CAT TOW MOTOR**, 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.

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SECTION 4: 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 municipal property is necessary. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

ATTEST: _____

CLERK OF COUNCIL

PRESIDENT 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: UTILITIES COMMITTEE
AUTHORIZED BY: SMITH

DRAFT NO. 34-20

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 921.07, BACKFLOW PREVENTION DEVICES OF THE CODIFIED ORDINANCES OF THE CITY OF NILES; AND DECLARING AN EMERGENCY

WHEREAS, the Environmental Protection Agency (EPA) requires specific changes be made to the Backflow Prevention Program; and

WHEREAS, these changes will make the program more efficient in order to comply with the EPA.

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

SECTION 1: Title Three of Chapter Nine, Streets, Utilities and Public Services, Section 921.07, Backflow Prevention Devices, of the Codified Ordinances of Niles, Ohio, is hereby amended to read as follows:

921.07 BACKFLOW PREVENTION DEVICES.

The Cross control Program, at the discretion of the Director of Public Service shall include, but not necessarily be limited to:

- (a) All new and replacement commercial and industrial water services supplied from the water works mains of the City of Niles shall have an approved backflow device on the inside of water meter setting.
- (b) If, in the judgment of the Director of Public Service, an approved backflow prevention device is necessary for the safety of the public water system, the Director shall give notice to the water consumer to install such an approved device at a location and in a manner approved by the Director and shall have inspections and annual tests made of such approved devices as required. All testing and reports of backflow prevention devices must be performed by an Ohio Department of Commerce Certified Backflow Tester.
- (c) The City **may** deny or discontinue water service until a test report is submitted certifying a new backflow device is installed and operating properly.
- (d) No person, firm or corporation shall establish, or permit to be established, or maintain, or permit to be maintained, any connection whereby a private, auxiliary or emergency water supply other than a public water supply of the City may enter the supply or distributing system of the City, unless such private, auxiliary or emergency water supply shall have been approved by the Director of Public Service and by the Ohio Environmental Protection Agency.
- (e) It shall be the duty of the Director of Public Service to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Director shall deem necessary.
- (f) The Director of Public Service, or his duly authorized representative, shall have the right to enter, at any reasonable time, any property served by a connection to the public water supply or distribution system of the City for the purpose of inspecting the piping system or systems thereof. On demand, the owner, lessee or occupants of any property so served shall furnish to the Director any information that he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall,

within the discretion of the Director be deemed evidence of the presence of improper connections as provided in this section and chapter.

(g) The water consumer, owner, lessee or occupant must maintain a record of each backflow prevention device. This shall include a record of the most current backflow device test report and if applicable, record of repair or rebuild for each device. Records of tests and repairs shall be submitted to the water department within ten (10) days of completion.

(h) A fee of Two Hundred Fifty Dollars (\$250.00) shall be applied to the water customer's monthly bill, until test results are submitted to the Niles Utility Office. Should the results not be submitted within six (6) months, water service may be terminated.

(i) The Director of Water Utility Operations is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this section or chapter is known of to exist, and to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this section, chapter and any other applicable laws and regulations.

(j) The City shall bear no liability for direct, indirect, incidental or consequential damages proximately caused by the discontinuance of service pursuant to this section.

(k) The Director of Public Service may adopt and enforce regulations in accord with this section.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the backflow prevention program requires changes to be made to comply with the requirements of the EPA. As such an emergency 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 _____, 2020 and signed by me as such Mayor on the _____ day of _____, 2020.

MAYOR