

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 12-24

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

AN ORDINANCE AUTHORIZING THE TRANSFER OF MONIES FROM VARIOUS ACCOUNTS TO THE UNCLAIMED FUND 663 AS SEVERAL CHECKS REMAIN UNCASHED FOR MORE THAN ONE HUNDRED AND EIGHTY DAYS (180), AND, DECLARING AN EMERGENCY

Whereas, the Treasurer identified numerous stale checks that remain uncashed for more than six months; and,

Whereas, the amount of the checks uncashed is Five Thousand Six Hundred Seventy-Three Dollars and 95/100 cents (\$5,673.95) from various City accounts; and,

Whereas, the Ohio Revised Code 9.39 requires unclaimed funds to be held in a Trust Fund until claimed by the owner. If the monies remain unclaimed for five years, then the money shall revert into the General Fund; and,

Whereas, Council desires to authorize transfer of the unclaimed funds to the Unclaimed Fund 663 Trust Fund.

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

SECTION 1: That Council hereby authorizes the transfer of the sum of Five Thousand Six Hundred Seventy-Three Dollars and 95/100 cents (\$5,673.95) from various City funds to the Unclaimed Fund 663.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety, and welfare so that the City may comply with the Ohio Revised Code 9.39. 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 \_\_\_\_\_, 2024,  
and approved by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

# City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE  
AUTHORIZED BY: SHEELY

DRAFT NO. 13-24

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

AN ORDINANCE AUTHORIZING THE PURCHASE OF PISTOLS AND TASERS THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2024 CALENDAR YEAR; AND, DECLARING AN EMERGENCY

Whereas, the Police Department may secure service pistols and tasers through state purchasing;

Whereas, the City purchasing policy requires that any state purchasing procurement in excess of \$15,000.00 first be authorized by council;

Whereas, Council desires to authorize the acquisition of the equipment through state purchasing.

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

SECTION 1: Council hereby authorizes the purchase of service pistols and tasers through the State of Ohio Cooperative Purchasing Program for the 2024 calendar year, when funds are available in the appropriate accounts or otherwise as permitted by law.

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 ammunition can be purchased 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 \_\_\_\_\_, 2024 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: SAFETY COMMITTEE  
AUTHORIZED BY: SHEELY

DRAFT NO. 14-24

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

AN ORDINANCE AUTHORIZING THE DIRECT PURCHASE OF THREE 2024 WHITE F-150 RESPONDERS; REPEALING ORDINANCE 10-24; AND, DECLARING AN EMERGENCY

Whereas, the City is unable to obtain three quotes in accordance with the purchasing policy;

Whereas, the direct purchase of three F-150 for \$66,591.00 for each unit is appropriate through Statewide Ford;

Whereas, Ordinance 10-24 authorizing state purchasing for the vehicles is repealed.

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

SECTION 1: Council hereby authorizes the direct purchase of three 2024 White F-150 Responders, when funds are available in the appropriate accounts or otherwise as permitted by law.

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 ammunition can be purchased 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 \_\_\_\_\_, 2024 and signed by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO: 15-24

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

A RESOLUTION AUTHORIZING THE SAFETY DIRECTOR and/or FIRE CHIEF TO PREPARE AND SUBMIT AN APPLICATION AND ENTER INTO AGREEMENTS FOR GRANT MONEY TO ASSIST WITH PURCHASE OF AN AERIAL LADDER TRUCK FOR THE NILES FIRE DEPARTMENT; AND, DECLARING AN EMERGENCY

WHEREAS, grant funds are available through the Assistance to Firefighters Grant in the amount of approximately one million dollars, and

WHEREAS, council will approve the matching funds in the amount of approximately one million dollars, if said grant is approved;

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

SECTION 1: That Fire Chief and/or Safety Director is hereby authorized to apply for grant funding through the Assistance to Firefighters Grant, for the purchase of an Aerial Ladder Truck for the Niles Fire Department.

SECTION 2: That the Fire Chief and/or Safety Director is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3: 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 due to lengthy delays in the procurement process with this type of vehicle. 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 16-24

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

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST TO FERGUSON WATERWORKS FOR WATER DEPARTMENT SUPPLIES; AND DECLARING AN EMERGENCY

WHEREAS, water department supplies were needed to be purchased on an emergency basis for infrastructure repair, .

WHEREAS, the invoice for the supplies is due and payable;

WHEREAS, Council desires to authorize payment to Ferguson Waterworks for \$6,035.10.

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

SECTION 1: Council hereby authorizes payment to Ferguson Waterworks for \$6035.10.

SECTION 2: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare as the invoice for Ferguson Waterworks is due and payable. 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 17-24

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

AN ORDINANCE AUTHORIZING THE DISPOSAL OF OBSOLETE FIRE EQUIPMENT BY INTERNET AUCTION ON GOV DEALS AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

WHEREAS, Council has determined that the obsolete fire equipment, attached as exhibit A, is not needed for any municipal purpose.

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

SECTION 1: That Council finds that the obsolete fire equipment is not needed for any municipal purpose.

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 or otherwise permitted by law.

SECTION 3: If an acceptable bid amount is not procured, then the administration may dispose of the property in accordance with the adopted disposal policy.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety, and welfare because the immediate sale of such obsolete municipal property is necessary in order to secure the most value for the property. 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 \_\_\_\_\_, 2024, and approved by me as such Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

NFD Station 7 - Items for Gov Deals

Item	Quantity	Condition
Water tank 50 gal	1	good
Mini Honda water pump	1	
Rope ( various sizes)		used
Pick head axes (wood handle)	4	used
SuperVac Electric fan - PPV	1	not working
Tempest Gas fan - PPV 24"	1	used
Dewalt Sawxall	1	
Exhaust Fan - electric	1	used
Electric reel - Hurst	1	used
Wheel Chocks	2	good
electric grill	1	used
Wood extension ladder	1	used
Brother Printer w/toner	1	used
Hose (various sizes)		used
Nozzles (various sizes)		used

# City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS COMMITTEE  
AUTHORIZED BY: SOLLITTO

DRAFT NO. 18-24

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

AN ORDINANCE AUTHORIZING THE VACATION OF A CERTAIN ALLEY ON E. FEDERAL STREET, AND DECLARING AN EMERGENCY

WHEREAS, original draft 103-23 was referred by City Council to the planning commission on August 23, 2023; and

WHEREAS, the City of Niles Planning Commission approved the vacation of the proposed alley/street on September 13, 2023;

WHEREAS, proper notice was published in the newspaper of general circulation pursuant to ORC 723.06.; and

WHEREAS, Council 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 upon a hearing to vacate a certain alley on E. Federal Street as further described in Exhibit A, that there is good cause for such vacation pursuant to Ohio Revised Code 723.04.

SECTION TWO: Council further finds that such vacation will not be detrimental to the general public interest, and ought to be made.

SECTION THREE: The portion of the Certain Alley on E. Federal Street 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 and statutory easements.

SECTION FOUR: The Clerk of Council is directed to notify the Auditor of Trumbull County of the vacation, by sending 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 transfer of property. 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR



# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 19-24

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

A RESOLUTION AUTHORIZING THE CITY OF NILES TO BID THE 2024 STREET RESURFACING PROGRAM THROUGH THE TRUMBULL COUNTY ENGINEER'S OFFICE; ENTER INTO CONTRACT; AND DECLARING AN EMERGENCY

WHEREAS, the City of Niles desires to pursue a street resurfacing program for the 2024 calendar year; and

WHEREAS, the City is able to participate in a consortium of other Trumbull County political subdivisions to authorize the Trumbull County Engineer to develop and advertise the bid specifications and enter into contract for the City of Niles 2024 Street Resurfacing program; and

WHEREAS, the cooperation with the Trumbull County Engineer will be to the benefit of The City of Niles;

WHEREAS, the estimated costs and proposed streets are attached hereto as Exhibit A.

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

SECTION 1: The Trumbull County Engineer is hereby authorized to develop and advertise the bid specifications and enter into contract for the City of Niles 2024 Street Resurfacing Program and;

SECTION 2: The Updated Exhibit A attached hereto identifies the estimated costs and proposed areas for the Bid;

SECTION 3: The Clerk of Council is hereby directed to forward a certified copy of this resolution to the Trumbull County Engineer to confirm the City's participation in the 2024 City of Niles Street Resurfacing Program.

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 this Resolution must be implemented in a timely manner to ensure completion of the resurfacing program. 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 \_\_\_\_\_, 2024,  
and approved by me as such Mayor this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

STREET	LIMITS	LENGTH	WIDTH	SQ. YDS.	CY	MILL SY	TACK/G	ESTIMATED COST	\$ Per Ward
Nancy	George to End	2015	27	6045	252	6045	906/75	\$59,364	
George St	SR46 to End	1620	27	4860	203	4860	729	\$47,797	
Washington	Frederick to Cynthia	1240	27	3720	155	3720	558	\$36,518	
Blossom	Cassandra to Trumbull	1885	21	3232	135	3232	484.8	\$31,786	\$175,464
		1735	27	5238	224	5238	787.25	\$52,833	
		1980	24	4467	228	4467	810.28	\$58,704	
		2700	27	6000	250	6000	900	\$58,900	
Hughes	North Crandon to Cedar	2700	20	6000	250	6000	900	\$58,900	
S Cleveland	Robbins to Mckinley	2250	27	6750	282	6750	1012.5	\$66,394	
Ann Ave	Mason to Thomas	1820	27	5460	228	5460	819	\$53,687	
Henry	Summit to Belmont	2025	19	4275	179	4275	641.25	\$42,119	\$221,100
Woodland	West Faederal to End	1605	27	4815	201	4815	722.25	\$47,333	
Margaret	John to End	1610	26	4652	194	4652	697.8	\$45,696	
Wyoming	Fifth to Third	1740	17	3285	137	3285	492.75	\$32,270	
Nash	Fifth to End	1320	24	3520	147	3520	528	\$34,613	
Emma	Smith to Warren Ave	1235	27	3705	155	3705	555.75	\$36,480	\$196,392

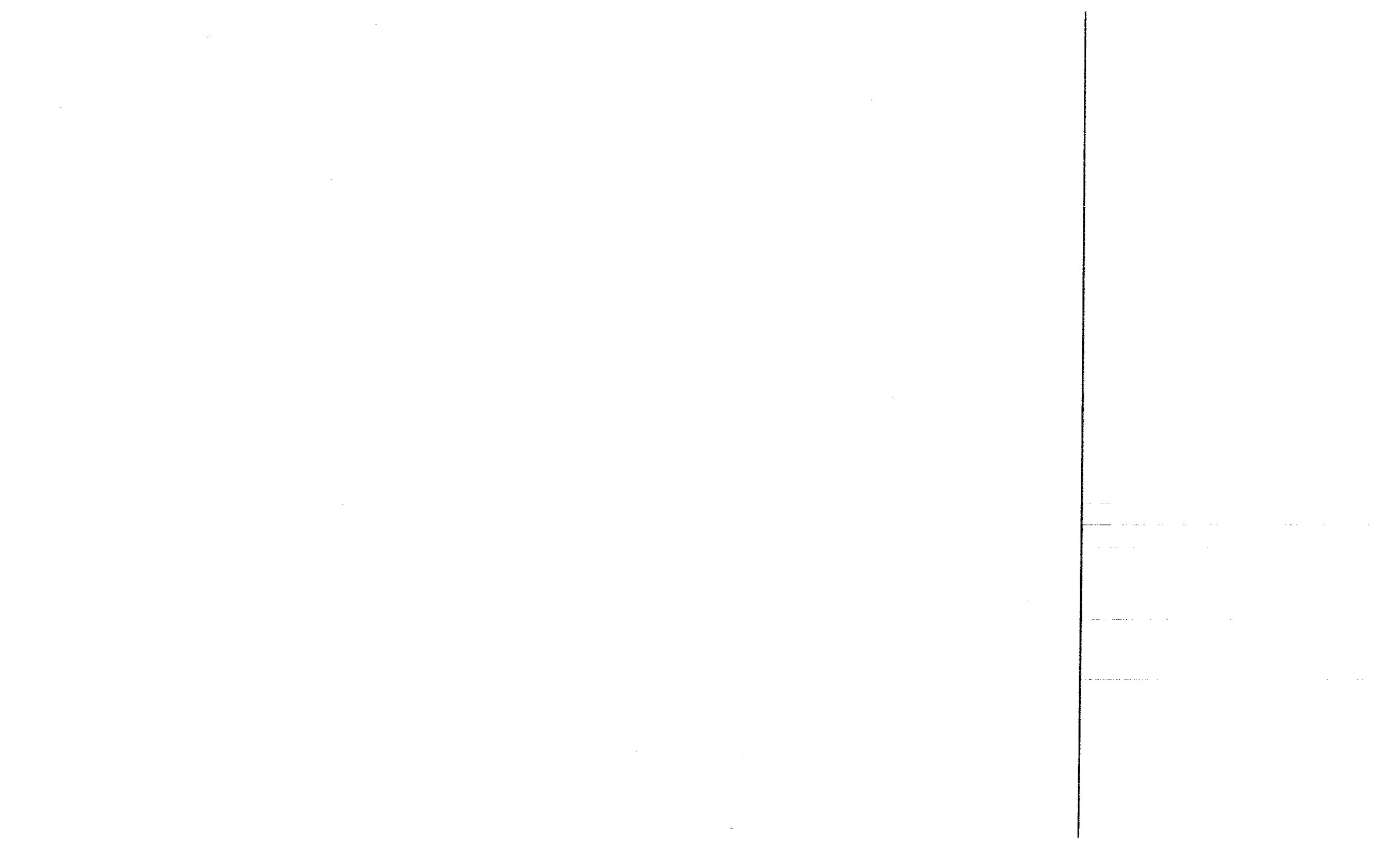
\$806,580

12309.15

3425

82061

30040



8-May-23

REF. NO.	ITEM NO.	ESTIMATED QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
1	611	15	EACH	Manhole Adjusted to Grade	\$1,900.00	\$28,500.00	\$1,900.00	\$22,500.00
2	611	10	EACH	Catch Basin Adjusted to grade	\$1,300.00	\$13,000.00	\$1,200.00	\$13,000.00
3	638	20	EACH	Water Work Misc: Valve Box Riser with Lid	\$150.00	\$3,000.00	\$75.00	\$4,000.00
4	254	82,061	SQ YD	Pavement Planing, Asphalt Concrete	\$2.00	\$164,122.00	\$1.25	\$102,576.25
5	407	12,310	GAL	Non-Tracking Tack Coat	\$3.50	\$43,085.00	\$3.05	\$37,545.50
6	441	3,425	CU YD	Asphalt Concrete Surface Course, Type 1, (48)	\$175.00	\$599,375.00	\$170.00	\$582,250.00
7	632	4	EACH	Detector Loop, As Per Plan	\$1,300.00	\$5,200.00	\$1,300.00	\$5,200.00
8	614	1	LUMP	Maintaining Traffic	\$35,000.00	\$35,000.00	\$26,000.00	\$35,000.00
9	623	1	LUMP	Construction Layout Stakes	\$2,000.00	\$2,000.00	\$1,000.00	\$2,000.00
10	624	1	LUMP	Mobilization	\$12,500.00	\$12,500.00	\$6,000.00	\$12,500.00
<b>TOTAL ESTIMATE</b>						<b>\$ 905,782.00</b>		<b>\$ 816,571.75</b>
<b>ENGINEER'S ESTIMATE</b>						<b>\$ 905,782.00</b>		<b>\$ 816,571.75</b>
<b>SHELLY &amp; SANDS</b>								

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 20-24

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

AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; AND,  
DECLARING AN EMERGENCY

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

SECTION 1: Authorizing the cash transfer of One Million Seven Hundred Four Thousand Five Hundred Forty Four Dollars and 00/100 (\$1,704,544.00) from the General Fund Account No: 101-1090-59000 to the following Funds:

Cash Transfers	
	From General Fund TRANSFER Account 101-1090-59000 To:
Fund 215	Police Pension \$100,000.00
Fund 216	Fire Pension \$120,000.00
Fund 217	Police & Fire 1% \$750,000.00
Fund 221	Park \$150,000.00
Fund 255	Cemetery \$50,000.00
Fund 401	Capital Projects \$534,544.00
	<b>TOTAL CASH TRANSFER \$1,704,544.00</b>

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 these funds are to be transferred on a regular basis. As such an emergency measure, this Ordinance 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 21-24

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

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR A WATER LINE SEWER BREAK REPAIR TO SUMMIT SUPPLY; APPROPRIATING THE NECESSARY FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, a water line sewer break required emergency work to be contracted,

WHEREAS, the invoice relating to the emergency repair is due and payable,

WHEREAS, Council desires to appropriate the necessary funds and to make payment to Summit Supply for \$18,600.

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

SECTION 1: Council hereby authorizes the following appropriation:

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
501 - Water	501-5151-53980	Contracted Labor	\$9,300.00
503 - Sewer	503-5353-53980	Contracted Labor	\$9,300.00
Total Appropriation			<b>\$18,600.00</b>

SECTION 2: Council hereby authorizes the Auditor to submit payment to Summit Supply in the amount of \$18,600.00

SECTION 3: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare as the invoice for Summit Supply is due and payable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

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

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

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

Filed with the Mayor of the City of Niles, Ohio on the \_\_\_\_ day of \_\_\_\_\_, 2024 and signed by me as such Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

SPONSORED BY: FINANCE  
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 22-24

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

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR A 24" VALVE REPLACEMENT TO KIRILLA CONTRACTORS; APPROPRIATING THE NECESSARY FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, a 24" water valve needs replaced on an emergency basis due to the daily leaking of substantial water

WHEREAS, It was necessary for the City to contract with Kirilla Contractors to abate the emergency, .

WHEREAS, the invoice relating to the 24" valve is due and payable.

WHEREAS, Council desires to appropriate the necessary funds and to make payment to Kirilla Contractors (KCI) for \$65,000.

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

SECTION 1: Council hereby authorizes the following appropriation:

APPROPRIATION FROM UNAPPROPRIATED FUNDS		
FUND	ACCOUNT NUMBER	DESCRIPTION
501 - Water	501-5151-53980	Contracted Labor
Total Appropriation		\$65,000.00
		\$65,000.00

SECTION 2: Council hereby authorizes the Auditor to submit payment to Kirilla Contractors in the amount of \$65,000.00.

SECTION 3: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare as the invoice for KCI is due and payable. 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

# City of Niles, Ohio

DRAFT NO. 23-24

SPONSORED BY: FINANCE COMMITTEE  
AUTHORIZED BY: ALL MEMBERS

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

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

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

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

SECTION 1: Council hereby authorizes the Treasurer to 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 to allow the City to engage the Ohio State Auditor as needed for reconciliation, at the earliest possible date as reconciliation is completed monthly. 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 \_\_\_\_\_, 2024 and signed by me as such Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR



# OHIO AUDITOR OF STATE KEITH FABER

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

January 10, 2024

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

Dear Mr. Telego:

This letter is to confirm our understanding of the services to be provided to the City of Niles (City) 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 December 31, 2024.

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 any work product generated under the scope of this engagement. 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 agreement and will accept full responsibility for such decisions.

---

Efficient • Effective • Transparent

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.

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.

Pursuant to Ohio Rev. Code § 117.13, you may charge all of this engagement's cost to the general fund or you may allocate the cost among the general fund and other eligible funds.

---

Efficient • Effective • Transparent

---

While eligible funds may include federal grant funds, additional restrictions under the Uniform Guidance 2 CFR 200.425 should be considered. For more information, refer to the annual Hourly Audit Rates and Allocation of Audit Costs technical bulletin available at [www.ohioauditor.gov](http://www.ohioauditor.gov).

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.

The Auditor of State's billing statements are available through the office's eServices portal located at <https://eservices.ohioauditor.gov>. Clients are required to designate one, or more, authorized users who must complete the registration process to establish an eServices account. A confirmed account will have the ability to access and/or update information regarding their customer account, including entity contact information, billing and payments, and an electronic check option for online payments. Authorized users are encouraged to keep eServices contact information updated.

Auditor of State billing statements are prepared monthly and are sent to clients who have an outstanding balance through a paperless electronic billing system. The City of Niles will receive an email notification at the beginning of the month that a statement is available for review. Clients are to access their billing statement upon receipt through eServices, and payment is due by the date identified on the statement.

A failure to pay the Auditor of State in full within forty-five days of the payment due date, identified on the monthly statement, shall constitute a delinquent account. Continued failure to make payment will result in the delinquent account being certified to the Ohio Attorney General's Office, Collection Enforcement, for collection under Ohio Revised Code 131.02(A). Alternatively, Ohio Revised Code 117.13(D) authorizes the Director of the Office of Budget and Management or the county auditor, in order to satisfy certified balances owed to the office of the Auditor of State, to withhold from a public office with delinquent accounts any amounts that are available up to the amount owed by the public office from those funds lawfully payable and due to the public office.

Clients experiencing difficulty meeting these requirements should contact the Auditor of State's Finance Department to make arrangements to pay delinquent balances prior to certification. Outstanding delinquent accounts may impact audit eligibility for reduced services, including agreed upon procedures and basic audits.

If you are in agreement with the terms of this contract, please have this engagement letter signed and certified in the appropriate places and return it to me no later than February 9, 2024. If we

---

Efficient • Effective • Transparent

