

City of Niles, Ohio

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

DRAFT NO. 123-25

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION OF NOMINATION TO BE ADDED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY – DRINKING WATER ASSISTANCE FUND FOR PROGRAM YEAR 2026 AND 2027 PROGRAM MANAGEMENT PLANS TO BECOME ELIGIBLE FOR FUNDING ASSISTANCE THROUGH LOANS FOR WATER DEPARTMENT LEAD SERVICE LINE IDENTIFICATION AND REPLACEMENT PURPOSES, AND DECLARING AN EMERGENCY

WHEREAS, the City of Niles, Ohio desires to be eligible for financial assistance under the Ohio Environmental Protection Agency - Drinking Water Assistance Fund Program Years 2026 and 2027 Program Management Plan.

WHEREAS, the City of Niles, Ohio will submit for assistance funding the Water Department's EPA mandated Lead Service Line identification and replacement work, which has to be completed by 2037.

WHEREAS, within the nomination application the City will submit for a five-year, 0% interest Planning & Design Loan of five-hundred thousand dollars (\$500,000) to assist the City in potholing and physically checking 1,000 public water lines throughout the city. Also within the legislation the City will submit for a forty-year, 53% principal forgiveness and 0% interest Construction Loan of ten-million dollars (\$10,000,000) to assist the City in replacing 1,000 identified lead service water lines on the public and private sides.

WHEREAS, if the City's nomination is accepted. Legislation will be submitted to Council for approval to submit for the actual loans and additional information will be provided at that point to Council.

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

SECTION 1. That the Council of the City of Niles approves filing this application for financial assistance.

SECTION 2. That the Mayor is hereby authorized and directed to execute and file an application of nomination with the Ohio Environmental Protection Agency - Drinking Water Assistance Fund Program Years 2026 and 2027 Program Management Plan and provide all information and documentation required to become eligible for nomination.

SECTION 4. This Resolution is declared an emergency measure in the interest of the public health, safety and welfare 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: _____

Attest: _____

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

Received by the Mayor of the City of Niles this ____ day of _____, 2025
and approved by me as such Mayor this ____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 124-25

RESOLUTION NO. _____

A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE EASTGATE REGIONAL COUNCIL OF GOVERNMENTS FOR THE SR 46 & SR 169 CORRIDOR SIGNAL REPLACEMENT PROJECT.

WHEREAS, the SR 46 & SR 169 Corridor Signal Replacement project is of urgent priority; and

WHEREAS, the SR 46 & SR 169 Corridor Signal Replacement project will replace outdated traffic signals on SR 46 and SR 169.

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

SECTION 1. That the Mayor is hereby authorized to apply for Federal Congestion Mitigation/Air Quality (CMAQ) programmed by the Eastgate Regional Council of Governments for the following:

- (1) SR 46 & SR 169 Corridor Signal Replacement Project;
- (2) Replacement of six (6) signals on the Vienna Avenue (SR 46) and Robbins Avenue (SR 169) corridors. Project includes coordinating all signals and upgrades to pedestrian amenities including curb ramps, pushbuttons, and pedestrian signals.
 - a. SR 46 from SR 169 to Washington Street;
 - b. SR 169 from SR 46 to Summit/Hogarth Avenue;
- (3) Estimated Project Cost \$2,709,000.00

SECTION 2. That the City of Niles acknowledges and understands the Eastgate "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required in the amount of Five Hundred Eighty Two Thousand Three Hundred Six Dollars and 00/100 (\$582,306.00) to match federal funds.

SECTION 3. That it is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meeting open to the public and in compliance with the law.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety convenience and welfare of the City of Niles and the inhabitants thereof, for the reason that it is to apply for this funding within the next ten (10) days, and provided that it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period 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 _____, 2025 and signed by me as such Mayor on the _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 125-25

RESOLUTION NO. _____

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

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

The Council of the City of NILES, TRUMBULL
County, Ohio, met in _____ session on the _____ day of _____,
20____ at the office of _____ with the following members
present: _____

_____ moved the adoption of the following Resolution:

WHEREAS, This Council, in accordance with the provisions of Section 5705.281 R.C., previously
provided the Alternative Tax Budget Information for the next succeeding fiscal year commencing
January 1, 20 26; and

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

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

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

NILES CITY

Est. Value 364,728,420

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

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived From Levies Outside 10M. Limitation	County Estimate Rate to be		Auditor's of Tax Levied
			Inside 10 M. Limit	Outside 10M. Limit	
	Column I	Column II	Column III	Column IV	
General Fund (includes County Health)	633,444 54,295		1.75* 0.15		
Police Pension Fund	108,590		0.30		
Fire Pension Fund	108,590		0.30		
Recreation Fund		266,849			1.00
Total	904,920	266,849	2.50		1.00
Tangible Reimbursement and PU from State					
Total		0			
		1,171,770			

TOTAL MILLAGE

3.50

AUGUST 2025

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

FUND	Maximum Rate Authorized to be levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
General Fund:		
Current Expense Levy authorized by voters on not to exceed 5 years		
Special Levy Funds:		
Levy authorized by voters on	11/02/21	1.00
Recreation Levy- Not to exceed 5 years		

and be it further

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

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____,
_____,
_____,
_____,
_____,
_____,

Adopted the _____ day of _____, 20_____.

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, TRUMBULL County, ss.

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

NILES, within and for said County, and in whose custody the Files

and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby

certify that the foregoing is taken and copied from the original of _____

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

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

Clerk of Council

NILES _____, City.

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

No.

COUNCIL OF THE CITY OF
NILES
TRUMBULL, County, Ohio

RESOLUTION

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

(City Council)

Adopted _____, 20____

Clerk of Council _____

Filed _____, 20____

County Auditor _____

By _____ Deputy

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 126-25

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 Fifty Thousand Dollars and 00/100 (\$1,050,000.00) from the General Fund Account No: 101-1090-59000 to the following Funds:

Cash Transfers - August			
From General Fund TRANSFER Account 101-1090-59000		To:	
Fund 215	Police Pension		\$50,000.00
Fund 216	Fire Pension		\$50,000.00
Fund 217	Police & Fire 1%		\$750,000.00
Fund 221	Park		\$150,000.00
Fund 255	Cemetery		\$50,000.00
TOTAL CASH TRANSFER			\$1,050,000.00

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 _____, 2025 and signed by me as such Mayor on this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 127-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND FOR CONSULTANT FEES; AND, DECLARING AN EMERGENCY.

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

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated Capital Projects Fund to the following account listed below in the total amount of Two Thousand Four Hundred Ninety-Nine Dollars and 60/100 (\$2,499.60):

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
401 – Capital Projects	401-4646-53700	Consultant Fees	\$2,499.60
Total Appropriation			\$2,499.60

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 funds are needed immediately so as to proceed with the Niles Intermediate Sidewalk Project 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 _____, 2025 and signed by me as such Mayor this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 128-25

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE AMENDED AUTHORIZED STRENGTH FOR THE CITY OF NILES; REPEALING AND REPLACING ORDINANCE 55-25; 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 as attached hereto.

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

SECTION 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 it is necessary to be in effect to fill key safety positions. 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 _____, 2025 and signed by me as such Mayor on the ____ day of _____, 2025.

MAYOR

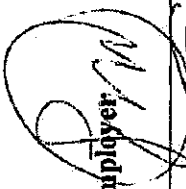
MEMORANDUM OF UNDERSTANDING

Light Department Lineman/Apprentice Lineman Staffing

The following Memorandum of Understanding (MOU) is entered into between the City of Niles ("Employer" or "City") and the American Federation of State, County, and Municipal Employees, AFL-CIO and AFSCME Local 506, Ohio Council 8 ("Union") for the purpose of memorializing the discussions regarding filling Lineman and Apprentice Lineman positions.

Both parties agree the City retains the right to hire personnel for the Light Department in the classifications of Lineman and/or Apprentice Lineman, provided that the total number of individuals employed across both classifications does not exceed the combined Authorized Strength established for these positions. The City may determine how many positions to fill in each classification based on operational needs. This arrangement allows the City to maintain adequate staffing levels and ensure continuity in positions that require a Journeyman Lineman certification by developing qualified individuals through the Apprentice Lineman classification. All vacant positions will be posted internally first, in accordance with the posting procedures outlined in the Collective Bargaining Agreement. If no qualified internal candidates apply, the positions may then be posted externally.

For the Employer



Date Signed 7/30/25

For the Union



Date Signed 7/30/25

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 129-25

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 (180) DAYS; 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 Four Thousand Nine Hundred Sixty-Five Dollars and 66/100 (\$4,965.66) from various City accounts (attached hereto); 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 Four Thousand Nine Hundred Sixty-Five Dollars and 66/100 (\$4,965.66) 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 _____, 2025,
and approved by me as such Mayor this _____ day of _____, 2025.

Mayor

OUTSTANDING CHECKS TO BE MOVED TO UNCLAIMED FUNDS ACCOUNT:

7/1/24 to 12/31/24

Total cks ready to be moved AUG. 2025 to Unclaimed Funds 663

Check Number	Amount	Date	Pay to	UTILITY
40733	\$ 197.01	7/9/2024	RAVIVARMA SAGIRAJU	UTILITY
40750	\$ 99.24	7/9/2024	THAIR PARAH	UTILITY
40808	\$ 550.00	7/15/2024	CUYAHOGA COUNTY	POLICE/FORENSIC COURSE
40927	\$ 73.39	7/25/2024	EXPRESS WIRELESS	UTILITY
40928	\$ 22.32	7/25/2024	EXPRESS WIRELESS	UTILITY
40936	\$ 180.50	7/26/2024	SAJINI PATEL	UTILITY
40937	\$ 175.51	7/26/2024	ABIGAIL BEREBER	UTILITY
40942	\$ 400.00	7/26/2024	EXPRESS WIRELESS	UTILITY
41209	\$ 74.49	8/23/2024	BROOKE PEACHOCK	UTILITY
41229	\$ 83.29	8/23/2024	RENATA LEWIS	UTILITY
41230	\$ 103.24	8/23/2024	JOSHUA ZABEN	UTILITY
41388	\$ 238.45	9/10/2024	EMILY KING	UTILITY
41395	\$ 77.21	9/10/2024	LEEAH MEANEY	UTILITY
41399	\$ 82.53	9/10/2024	TYLOR REHBURG	UTILITY
41405	\$ 139.27	9/10/2024	SHANTONAE DUKES	UTILITY
41412	\$ 134.66	9/10/2024	BRANDY RAYER	UTILITY
41416	\$ 49.45	9/10/2024	DONNA PERRY	UTILITY
41609	\$ 60.00	10/2/2024	TAMARA COOPER	INSTRUCTOR
41647	\$ 129.93	10/3/2024	DESTINY BOOTH	UTILITY
41666	\$ 652.77	10/3/2024	UNDERWOOD TOWING INC.	POLICE(IMPOUND)
41791	\$ 30.85	10/17/2024	TABITHA ULRICH	UTILITY
41902	\$ 52.18	10/29/2024	BRIAN BIELA	UTILITY
42079	\$ 268.94	11/14/2024	DALE FELL	UTILITY
42080	\$ 102.16	11/14/2024	MATILYN ASHMAN	UTILITY
42082	\$ 95.67	11/14/2024	MCKENZIE GRIM	UTILITY
42089	\$ 26.69	11/14/2024	CAMERON PALETTE	UTILITY
42191	\$ 42.24	11/22/2024	ANNA HLAUDY	UTILITY
42245	\$ 127.41	11/27/2024	BROOKE ONEIL	UTILITY
42248	\$ 150.00	11/27/2024	ANNA HLAUDY	UTILITY
42250	\$ 124.91	11/27/2024	AARON ODELL	UTILITY
42253	\$ 139.49	11/27/2024	JOHN TOWNE	UTILITY
42258	\$ 150.00	11/27/2024	JOHN DALE AMBURGEY	UTILITY
42473	\$ 131.86	12/19/2024	ULYSSES UPshaw SR	UTILITY

\$ 4,965.66 TOTAL OUTSTANDING CHECKS FROM 7/1/24 - 12/31/24

City of Niles, Ohio

SPONSORED BY: Comm. Develop. And Neighborhood Stab. DRAFT NO. 130-25
AUTHORIZED BY: ALL MEMBERS

RESOLUTION NO. _____

A RESOLUTION INDICATING THE SERVICES TO BE PROVIDED FOR CERTAIN
TERRITORY PROPOSED FOR ANNEXATION TO THE CITY OF NILES UPON
ANNEXATION; AND, DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 709.03(D) requires a municipal corporation adopt a statement indicating what services, upon annexation, if any, the municipal corporation will provide to the territory proposed for annexation, and,

WHEREAS, the City has been informed of an annexation petition filed by Gearmar Properties, Inc., for the annexation of certain property in Weathersfield Township to the City of Niles; and,

WHEREAS, the territory proposed to be annexed consists of a total of 122.632 acres of land situated in Weathersfield Township, as more fully described in the petition for annexation, a copy of which is placed on file with the Clerk of Council.

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

SECTION 1: That the services to be provided by the City of Niles to the territory proposed for annexation by Gearmar Properties, Inc. which totals 122.632 acres of land situated in Weathersfield Township and more specifically identified as Parcels 24-310900, 24-311300 and 24-311400, will include police, fire, power, zoning, water, if and when available, sewer services. The approximate date that the police, fire, power, zoning services and water will be available will be upon the completion of the annexation estimated to be on or about January 1, 2026.

SECTION 2: Pursuant to Ohio Revised Code 709.033(A)(6), should any street or highway be divided or segmented as a result of the annexation, the City of Niles agrees to assume the maintenance of the street or highway.

SECTION 3: That this Resolution be declared an emergency measure in the interest of the public health, welfare, and safety because pursuant to ORC 709.033(A)(3), this resolution must be filed with the County Commissioners no later than 20 days prior to the September 24, 2025 hearing, and, 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 _____, 2025 and signed by me as such Mayor on this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 132-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED LIGHT FUND FOR CONTRACTED LABOR; AND, DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated Light Fund to the following account listed below in the total amount of Five Hundred Eighty Thousand Dollars and 00/100 (\$580,000.00):

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
502- Light	502-5252-53980	Contracted Labor	\$580,000.00
Total Appropriation			\$580,000.00

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 funds are needed immediately in order to proceed with the Franklin Alley Underground Project 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 _____, 2025 and signed by me as such Mayor this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 133-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CEMETERY FUND FOR INDIGENT REIMBURSEMENT; AND, DECLARING AN EMERGENCY

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

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated Cemetery Fund to the following account listed below in the total amount of One Thousand Dollars and 00/100 (\$1,000.00):

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
255 - Cemetery	255-5555-53950	Indigent	\$1,000.00
Total Appropriation			\$1,000.00

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 reimbursement of funds are needed for immediate allocation of expenses. 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 _____, 2025 and signed by me as such Mayor this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 135-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE NATIONAL OPIOIDS SETTLEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE SUBDIVISION PARTICIPATION FORM; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Niles, Ohio (hereinafter referred to as “the City”) is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance, and malfeasance throughout the State of Ohio; and

WHEREAS a settlement proposal identified as the National Opioids Settlement, requires the City of Niles to take affirmative steps to opt in to the Settlements elected by the State for participation; and

WHEREAS, the Mayor, acting on behalf of the City of Niles, has opted in to the National Opioids Settlement; and

WHEREAS, Council desires to participate in the proposed Settlements, further outlined in the Settlement Overview attached hereto, including completion of the Subdivision Participation Form.

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

SECTION 1: That Council hereby ratifies all previous actions taken by the Mayor and authorizes the Mayor to execute all documents necessary for future participation in the settlements, on behalf of the City.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

SECTION 3.: This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of the City and for the further reason that the Participation Form must be signed by October 8, 2025 in order to obtain the settlement funds. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time 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 _____, 2025
and signed by me as such Mayor on the _____ day of _____, 2025.

MAYOR

National Opioids Settlements: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, Zydus
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Niles city, OH
Rubris Reference Number: CL-1768437

**TO LOCAL POLITICAL SUBDIVISIONS AND SPECIAL DISTRICTS:
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT NATIONAL OPIOID
SETTLEMENTS.**

SETTLEMENT OVERVIEW

Proposed nationwide settlement agreements ("Settlements") have been reached that would resolve opioid litigation brought by states, local political subdivisions, and special districts against eight opioids manufacturers, Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus (the "Manufacturers"). Local political subdivisions and special districts are referred to as "subdivisions."

The Settlements require the settling Manufacturers to pay hundreds of millions of dollars to abate the opioid epidemic. The Settlements will provide a maximum of approximately \$720 million in cash to participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- Alvogen to immediately pay up to approximately \$19 million;
- Amneal to pay up to approximately \$74 million over 10 years, and to provide either approximately \$177 million of its generic version of the drug Narcan or up to an additional approximately \$44 million in cash;
- Apotex to immediately pay up to approximately \$65 million;
- Hikma to immediately pay up to approximately \$98 million, and to provide either approximately \$35 million of its naloxone product or up to an additional approximately \$7 million in cash;
- Indivior to pay up to approximately \$75 million over five years, a portion of which, at the election of the state, could be paid in the form of Indivior's branded buprenorphine and/or nalmefene products with a value of up to \$140 million.;
- Mylan to pay up to approximately \$290 million over nine years;
- Sun to immediately pay up to approximately \$32 million; and
- Zydus to immediately pay up to approximately \$15 million.

The Settlements also contain injunctive relief governing opioid marketing, sale, distribution, and/or distribution practices and require the Manufacturers to implement safeguards to prevent diversion of prescription opioids.

Each of the proposed settlements has two key participation steps.

First, each eligible state decides whether to participate in each Settlement. A list of participating states for each settlement can be found at <https://nationalopioidsettlement.com/>.

Second, eligible subdivisions within each participating state decide whether to participate in each Settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. If the state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

WHO IS RUBRIS INC. AND WHAT IS THE IMPLEMENTATION ADMINISTRATOR?

The Settlements provide that an Implementation Administrator will provide notice and manage the collection of participation forms. Rubris Inc. is the Implementation Administrator for these new Settlements and was also retained for the prior national opioid settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

Your state has elected to participate in one or more of the Settlements, and your subdivision may participate in those Settlements in which your state has elected to participate. This notice is also sent directly to counsel for such subdivisions if the Implementation Administrator has their information.

If you are represented by an attorney with respect to opioid claims, please contact them.
Subdivisions can participate in the Settlements whether or not they filed a lawsuit or are represented.

WHERE CAN YOU FIND MORE INFORMATION?

Detailed information about the Settlements, including each settlement agreement, may be found at: <https://nationalopioidsettlement.com>. This website also includes information about how the Settlements are being implemented in most states and how funds will be allocated within your state.

You are encouraged to review the settlement agreement terms and discuss the terms and benefits with your counsel, your Attorney General's Office, and other contacts within your state. Information and documents regarding the Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com/>.

Your subdivision will need to decide whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process before the **October 8, 2025** deadline.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

The Settlements require that you take affirmative steps to "opt in" to the Settlements.

In the next few weeks, you will receive documentation and instructions from the Implementation Administrator or, in some cases, your Attorney General's Office. In order to participate in a settlement, a subdivision must sign and return the required Participation Form for that settlement.

Please add the following email addresses to your "safe" list so emails do not go to spam / junk folders: dse_na3@docusign.net and opioidsparticipation@rubris.com. Please monitor your email for the Participation Forms and instructions.

All required documentation must be signed and returned on or before **October 8, 2025**.

City of Niles, Ohio

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

DRAFT NO. 137-25

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ISSUE A REQUEST FOR QUALIFICATIONS FOR THE STILLWAGON SEWER PROJECT; AND, DECLARING AN EMERGENCY

WHEREAS, the City of Niles is seeking a Request for Qualifications for the Stillwagon Sewer Project.

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

SECTION 1: Council hereby authorizes the Service Director to issue a request for qualifications for the Stillwagon Sewer Project.

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

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____, 2025 and signed by me as such Mayor on this ____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 140-25

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR THE TRU-NILES SIGNALS INSPECTION SERVICES; AND, DECLARING AN EMERGENCY

WHEREAS, the City of Niles requires inspection services as part of the TRU- Niles Signals Construction Grant;

WHEREAS, Adminisrtation complied with all provisions of Ohio Revised Code 153.66 through 153.70 prior to obtaining Council approval to solicit request for qualifications.

WHEREAS, Council finds that the actions of the administration followed the Ohio Revised Code and is authorizing the contract with EDG.

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

SECTION 1: Council hereby ratifies all actions of the Administration and Council hereby authorizes the Service Director to contract with EDG for inspection services.

SECTION 2: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare as the inspection services are needed to complete the project in time requirements as set forth by the grant. 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 _____, 2025 and signed by me as such Mayor on this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 131-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS
AND ENTER INTO CONTRACT FOR WADDELL PARK TRACK IMPROVEMENT
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 enter
into a contract for Waddell Park Track Improvement 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 commence 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.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the ____ day of _____,
2025 and signed by me as such Mayor on the ____ day of _____, 2025.

MAYOR

City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 134-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY OF NILES TO PURCHASE PARK BENCHES UP TO AN AMOUNT OF \$15,000 AND SUBJECT TO FUTURE APPROPRIATIONS; AND, DECLARING AN EMERGENCY.

WHEREAS, the Administration is authorized to purchase park benches up to an amount of Fifteen Thousand Dollars and 00/100 (\$15,000).

WHEREAS, the effectuation of this ordinance is subject to future appropriations.

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

SECTION 1: Subject to future appropriations, Council hereby authorizes the City of Niles to purchase park benches up to the amount of Fifteen Thousand Dollars and 00/100 (\$15,000.00).

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 funds may be expended before the end of the fiscal year. 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 _____, 2025 and signed by me as such Mayor this ____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 136-25

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE UPDATED PUBLIC RECORDS REQUEST
POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, O.R.C. Section 149.43(B)(1) was amended to permit state or local law enforcement agencies to charge a requester the actual cost associated with preparing a video record for inspection or production at \$75 per hour of video produced, not to exceed a total amount of \$750.

WHEREAS, the City seeks to bring our public records request policy consistent with the amendment to O.R.C. Section 149.43(B)(1), attached hereto.

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

SECTION 1: That Council hereby approves the updated Public Records Request Policy to be consistent with the language of the Ohio Revised Code 149.43(B)(1).

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety and welfare, for the reason that it is imperative that the updated Public Records Request Policy be adopted as soon as possible to give proper guidance to City officials and employees. 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 _____, 2025
and approved by me as such Mayor this _____ day of _____, 2025.

Mayor

CITY OF NILES PUBLIC RECORDS POLICY

MISSION STATEMENT

Openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the City of Niles to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act

DEFINING PUBLIC RECORDS

All records kept by the City of Niles are public unless they are exempt from disclosure under Ohio law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

A record is defined to include the following: A document in any format - paper, electronic (including, but not limited to, business e-mail) - that is created, received by, or comes under the jurisdiction of the City of Niles that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

RESPONSE TIMEFRAME

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review and redaction of the records requested.

It is the goal of the City of Niles that all requests for public records should be acknowledged in writing or, if possible, satisfied within three (3) business days following the office's receipt of the request.

HANDLING REQUESTS

No specific language is required to make a request for public records. However, the requester must at least identify the records requested

with sufficient clarity to allow the office to identify, retrieve, and review the records. If it is not clear what records are being sought, the office must contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the office keeps its public records.

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only (1) if a written request or disclosure of identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) after telling the requestor that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying. Although not required by law, the office may accommodate the requester by generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws manual is available via the Attorney General's internet website (www.ohioattorneygeneral.gov) for the purpose of keeping employees of the office and the public educated as to the office's obligations under the Ohio Public Records Act, Open Meetings Act, records retention laws and Personal Information Systems Act.

ELECTRONIC RECORDS

Records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a hand-held communications device (such as a Blackberry) are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or

representatives of this office are required to retain their e-mail records and other electronic records in accordance with applicable records retention schedules.

DENIAL OR REDACTION OF RECORDS

If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records, the request may be denied, but the denial must provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

Any denial of public records requested must include an explanation, including legal authority. If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest released. When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

COPYING AND MAILING COSTS

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is 10 cents per page. The charge for electronic files downloaded to a compact disc is \$1.00 per disc.

A requester may be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

If a requester asks that documents be mailed, he or she may be charged the actual cost of the postage and mailing supplies. There is no charge for documents e-mailed.

MANAGING RECORDS

The City of Niles records are subject to records retention schedules. The office's current schedules are available at 34 West State Street, Niles, Ohio 44446, a location readily available to the public as required by §149.43(8)(2), Ohio Revised Code.

BODYCAM FOOTAGE

With respect to §149.43(B)(1), when considering whether a state or local law enforcement agency promptly prepared a video record for inspection or provided a video record for production within a reasonable period of time, in addition to any other factors, a court shall consider the time required for a state

or local law enforcement agency to retrieve, download, review, redact, seek legal advice regarding, and produce the video record. A state or local law enforcement agency may charge a requester the actual cost associated with preparing a video record for inspection or production, not to exceed seventy-five dollars per hour of video produced, nor seven hundred fifty dollars total.

City of Niles, Ohio

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

DRAFT NO. 138-25

ORDINANCE NO. _____

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE NILES COMMUNITY REINVESTMENT AREA IN THE CITY OF NILES, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL; REPEALING ORDINANCE 04-06; AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Community Reinvestment Area Act, under Section 3735.65 through Section 3735.70 of the Ohio Revised Code (collectively, the “Act”), authorizes cities to designate areas as Community Reinvestment Areas; and

WHEREAS, the City Council of the City of Niles (hereinafter “Council”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in areas of the City of Niles that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, a survey of housing, a copy of which is on file in the office of the City Clerk, as required by Ohio Revised Code Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area; and

WHEREAS, the survey of housing shows the facts and conditions relating to existing housing and commercial facilities and undeveloped areas, including, among other things, evidence of deterioration and lack of new construction or repair or rehabilitation of substantial portions of the proposed Community Reinvestment Area has ; and

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF NILES, TRUMBULL COUNTY, OHIO AS FOLLOWS:

SECTION 1: Designation of Community Reinvestment Area. The area designated as the Niles Community Reinvestment Area constitutes an area in which housing facilities are located, and in which new construction or repair of existing facilities has been discouraged.

SECTION 2: Establishment of Community Reinvestment Area. Pursuant to Section 3735.66 of the Ohio Revised Code, the Niles Community Reinvestment Area, is hereby established to include all parcels within the City of Niles municipal corporation limits.

SECTION 3: Eligible Parcels. The entire area within the existing parcels identified in Section 2 as being within the designated Community Reinvestment Area are eligible for this incentive.

SECTION 4: Duration and Percentage of Tax Exemption. Within the Niles Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or

remodeling occurring according to the rules outlined in the Section 3765.67 of the Ohio Revised Code. The results of the negotiation as approved by this Commission will be set in writing in a Community Reinvestment Area Agreement as outlined in Section 3735.671 of the Ohio Revised Code. All Community Reinvestment Area Agreements shall be approved by City Council. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner, certification thereof by the designated Housing Officer, and approved by the legislative authority for the following periods:

- a. Up to and including, fifteen (15) years, for the construction of every residential dwelling unit as described in ORC Section 3735.67, with such exemption being up to seventy five percent (75%) for each of the fifteen (15) years as negotiated on a case by case basis and approved in accordance with this section.
- b. Up to and including, fifteen (15) years, for the remodeling of every residential dwelling unit upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, and with such exemption being up to seventy five (75%) for each of the fifteen (15) years as negotiated on a case by case basis and approved in accordance with this section.
- c. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the remodeling of existing commercial, industrial, and mixed use facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- d. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent (100%) for the construction of new commercial, industrial and mixed use facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the Niles Community Reinvestment Area, structures exclusively used for residential purposes, owner occupied, and composed of two or fewer units contained therein, shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

SECTION 5. Appointment of Housing Officer. To administer and implement the provisions of this Ordinance, the Mayor or his/her designee, is designated as the Housing Officer as described in the Act.

SECTION 6. Creation of Housing Council. That this Council shall cause a Housing Council as described in Section 3735.69 of the Ohio Revised Code composed of seven members to be appointed: two members appointed by the Mayor, two members appointed by the legislative authority, and one member appointed by the planning commission of the municipal corporation. The majority of the foregoing members shall then appoint two additional members who shall be residents of the City of Niles.

SECTION 7. Duties of Housing Council. The Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under Section 3735.70 of the ORC.

SECTION 8. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and any of its committees, and

that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

SECTION 9. Further Authorizations. This Council directs the Clerk of Council to cause notice of this legislation to be published in accordance with section 3735.66 of the Ohio Revised Code and for a copy of this legislation and a map of the Niles Community Reinvestment Area to be sent via certified mail to the director of the Ohio Department of Development. No exemption from taxation under section 3735.67 of the Ohio Revised Code shall be granted until the director assigns a unique designation by which the area shall be identified for purposes of sections 3735.65 to 3735.70 of the Ohio Revised Code.

SECTION 10. Non-Discriminatory Hiring Policy. In accordance with Section 5709.832 of the Ohio Revised Code, this Council hereby determines that no employer located upon any Parcel shall deny any individual employment based solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

SECTION 11: This Ordinance repeals and replaces Niles Codified Ordinance 04-06.

SECTION 12: This ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health and safety of the inhabitants of the City of Niles, Ohio. Said emergency exists by reason of the fact, and, as such, this ordinance shall take effect immediately upon its passage 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 _____, 2025 and signed by me as such Mayor this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 139-25

ORDINANCE NO. _____

ORDINANCE TO CREATE A TIF AREA PURSUANT TO SECTION 5709.40(B) OF THE OHIO REVISED CODE; DECLARE IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE TIF AREA TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE WITHIN THE TIF AREA THAT DIRECTLY BENEFIT THOSE PARCELS; APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT AND DECLARE AN EMERGENCY.

WHEREAS, Sections 5709.40(B), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “TIF Statutes”) authorize the legislative authority of a municipal corporation, by ordinance, to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, the parcels of real property identified and depicted in **Exhibit A** attached hereto (each such parcel individually, the “Parcel”) are located in the City of Niles, Ohio (collectively, the “Property”), and this Council has determined to declare the Improvements (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interest of the City of Niles, Ohio (the “City”), to exempt from taxation seventy five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of parcels (each such owner individually, an “Owner,” and collectively, the “Owners”) of the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the Property in lieu of the real property tax payments, and in the same amount as they would have made real property tax payments except for the exemption provided by this Ordinance; and

WHEREAS, pursuant to Section 5709.43(A) of the Ohio Revised Code, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the Property, in which there shall be deposited the remaining Service Payments distributed to the City; and

WHEREAS, notice of this proposed Ordinance has been delivered to the respective Boards of Education of the School District and the JVSJ in accordance with and within the time periods described in Sections 5709.40 and 5709.83 of the Ohio Revised Code;

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

Section 1. **Authorization of Tax Exemption.** Pursuant to and in accordance with the provisions of Section 5709.40(B) of the Ohio Revised Code, this Council hereby finds and

determines that seventy five percent (75%) of the increase in assessed value of the Property subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Section 5709.40(A) of the Ohio Revised Code) is hereby declared to be a public purpose and shall be exempt from taxation for a period commencing, for each Parcel comprising the Property, with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure first appears on the tax list and duplicate of real and public utility property for said Parcel, and ending on the earlier of (a) ten (10) years after such commencement for said Parcel, or (b) the date on which the City can no longer require service payments in lieu of taxes for said Parcel, all in accordance with the requirements of the TIF Statutes. Pursuant to Section 5709.40(G) of the Ohio Revised Code, it is expressly the intent of this Ordinance that the exemptions of Improvements to Parcels authorized herein may commence in different tax years on a Parcel-by-Parcel basis, with a separate exemption term for each.

Section 2. Service Payments and Property Tax Rollback Payments. Pursuant to Section 5709.42 of the Ohio Revised Code, this Council hereby directs and requires the Owner(s) of the Property to make annual Service Payments (as defined herein) in lieu of taxes with respect to the Improvement allowable thereto to the Trumbull County Treasurer on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code (collectively, the "Service Payments"), shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 1 of this Ordinance. The Service Payments, and any other payments with respect to the Improvement that are received by the Trumbull County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152, and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), shall be allocated and distributed in accordance with Section 4 of this Ordinance. This Council further hereby authorizes and directs appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the Owners, including the preparation and filing of any necessary exemption applications.

Section 3. Tax Increment Equivalent Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Main Street Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 2 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of the Property and so deposited pursuant to Section 5709.42 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes or this Ordinance. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

Section 4. Distribution of Funds. Pursuant to the TIF Statutes, the Trumbull County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows:

- (i) To the School District, an amount equal to twenty five percent of the amounts the School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the Property located within the School District's boundaries if the Improvement had not been exempt from taxation pursuant to this Ordinance; and
- (ii) To the JVSD, an amount equal to twenty five percent of the amounts the JVSD would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the Property located within the JVSD's boundaries if the Improvement had not been exempt from taxation pursuant to this Ordinance; and

- (iii) To the City, all remaining amounts for further deposit in the TIF Fund for payment of costs of the Public Infrastructure Improvements, including debt service on any securities issued to finance those costs.

Section 5. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements, as public infrastructure improvements made, to be made or constructed, or in the process of being made or constructed, by the City or other entity approved by the City that directly benefit, or that once made will benefit, the Property.

Section 6. Non-Discriminatory Hiring Policy. In accordance with Section 5709.832 of the Ohio Revised Code, this Council hereby determines that no employer located upon the Property shall deny any individual employment based solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

Section 7. Further Authorizations. This Council hereby authorizes and directs the Mayor, Development Director, Auditor, Law Director, and other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the Mayor, Auditor, Law Director, and other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance, including the execution of a tax increment financing agreement with the material terms as outlined in exhibit c.

Section 8. Filings with the Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the Development Director or other appropriate officer of the City is hereby directed to deliver a copy of this Ordinance to the Director of Development Services for the State of Ohio within fifteen (15) days after its adoption. Further, on or before March 31 of each year that the exemption set forth in Section 1 of this Ordinance remains in effect, the Development Director or other authorized officer of the City shall prepare and submit to the Director of Development Services of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 9. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare of the City and for the further reason that this Ordinance is required in order that the City can timely and properly incentivize economic development within the City; wherefore this Ordinance shall take effect and be in force immediately upon its passage.

DATE PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

MAYOR

DATE APPROVED: _____

CLERK OF COUNCIL

EXHIBIT A

The discrete parcels comprising the TIF Area depicted on the attached map are as follows:

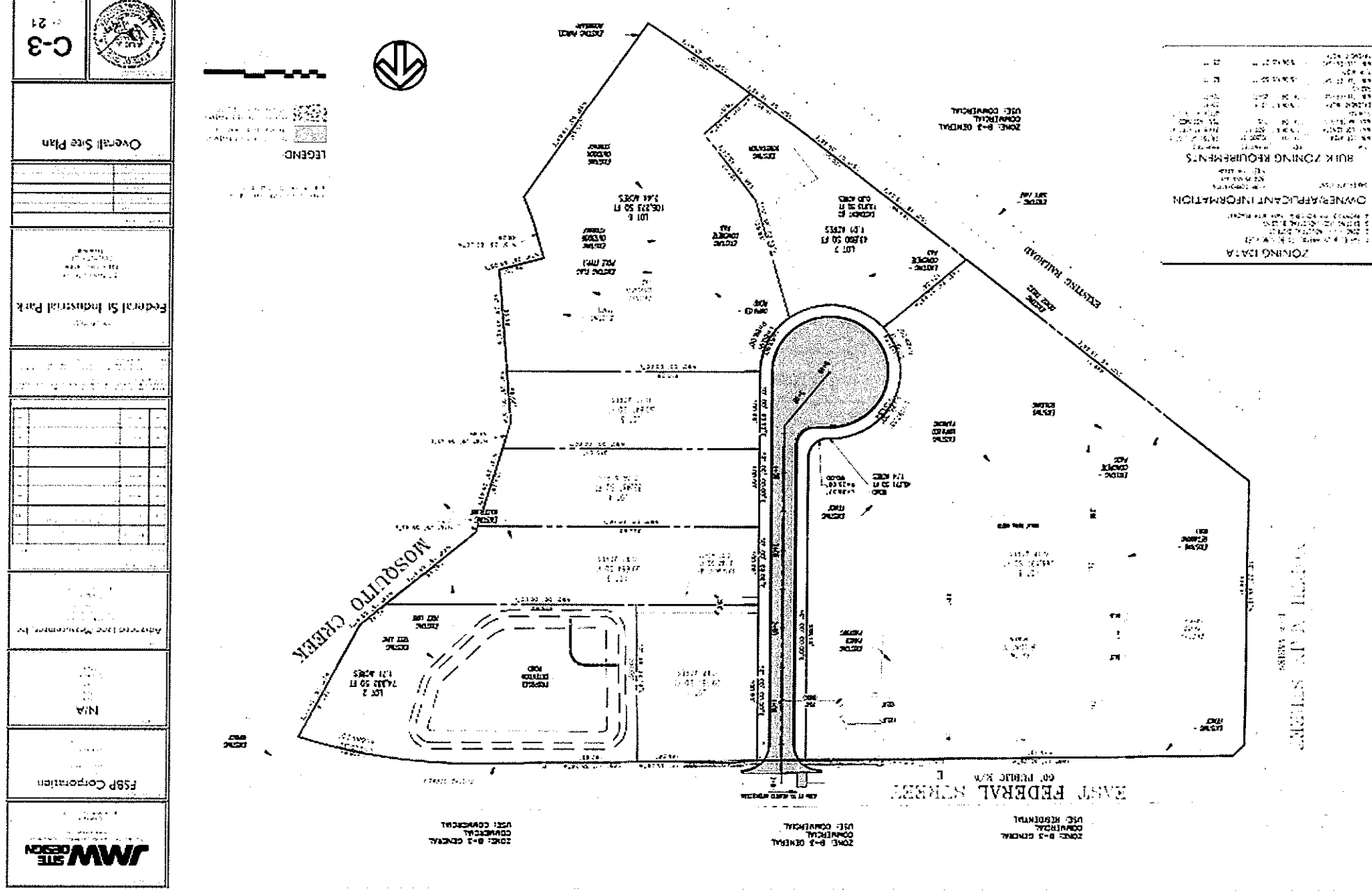
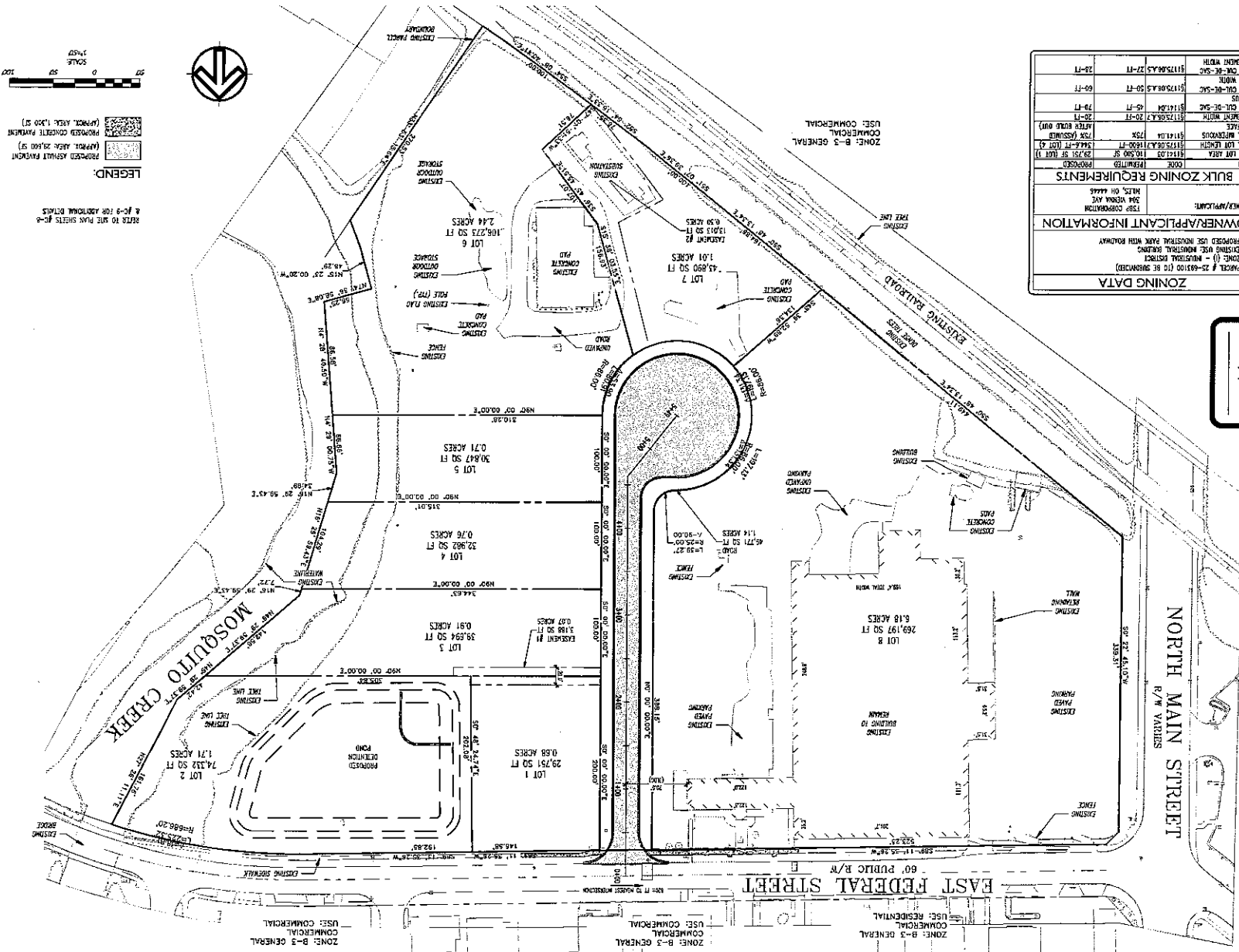


EXHIBIT
A

[illegible]

P.O. Box 75 | Carrollton, TX 75006 | 972-464-0603

FSBP Corporation

Contare
Mr. James Akabali

N/A

YAN
Contact:

Advanced Land Measurement, Inc.

0270-0200

VIBRO DATA

01/04/25	Returned To Address City Of Napa	CEB
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STAYING POWER: A NEW CONCEPT

JWAIN 15

General St Industrial Park

NOTES, OHIO 44266
COUNTY OF

AND DATA

DATE	RECEIVED
CB	DEANBY
1988	1988

Overall Site Plan

DATE	REMARKS
ON 2016	REMARKS

9-7

REV. NO. 1

Exhibit B

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include the construction of the following improvements and all related costs of permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code):

- Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto;
- Acquisition of real estate or interests in real estate (including easement(s)) necessary for any of the above-referenced improvements.
- Construction of roadway that will be dedicated to the City upon completion of the project.

EXHIBIT C

The material terms of the Tax Increment Financing Agreement are as follows:

- 1) Projected revenue from PILOT payments for the life of the TIF is \$276,303.10;
- 2) Payments to the developer will total \$101,326.00 proportionately paid by the PILOT payments generated by each developed parcel;
- 3) The PILOT payments will be shared equally by the City of Niles and developer as they are receipted to the TIF fund;
- 4) The developer shall not receive more than \$101,326.00 even if the actual monies received exceed the amount in paragraph 1.
- 5) Notwithstanding the limitation in paragraph 4, should parcel number 8, with the existing structure be subdivided then the parties agree that any additional PILOT payments generated by the subdivision will be shared equally between the parties. Further, the additional payments from any subdivision of parcel 8 will not be limited by the amount enumerated in paragraph 4.