

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 48-25

ORDINANCE NO. _____

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR REPUBLIC SERVICES FOR EMERGENCY SLUDGE HAULING AT THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY

WHEREAS, the Waste Water Treatment Plant needed emergency sludge hauling,

WHEREAS, the invoice relating to the emergency repair is due and payable (see attached invoice).

WHEREAS, Council desires to make payment to Republic Services in the amount of \$4,967.30.

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

SECTION 1: Council hereby authorizes the Auditor to submit payment to Republic Services in the amount of four thousand nine hundred sixty-seven dollars and 30/100 (\$4,967.30).

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

MAYOR



National Accounts
Phoenix, AZ 85038-924040

Customer Service (800) 840-5409
RepublicServices.com/Support

Important Information
It's easy to go paperless! Sign up for Paperless Billing at RepublicServices.com and enjoy the convenience of managing your account anytime, anywhere, on any device.

Account Number 3-0262-0063993
Invoice Number 0262-004573863
Invoice Date February 28, 2025

Previous Balance \$11,757.20
Payments/Adjustments \$11,757.20
Current Invoice Charges \$10,904.65

Total Amount Due
\$10,904.65

Payment Due Date
March 20, 2025

PAYMENTS/ADJUSTMENTS

| Description | Reference | Amount |
|---------------------------|-----------|------------|
| Payment - Thank You 02/18 | 42941 | \$8,158.00 |
| Payment - Thank You 02/18 | 42941 | \$3,599.21 |

CURRENT INVOICE CHARGES

| Description | Reference | Quantity | Unit Price | Amount |
|---|-----------|-------------|------------|----------|
| City Of Niles Sludge - 999 Summit Ave CSA A910197199 | | | | |
| 1 Waste Container 20 Cu Yd. 4 Lifts Per Week Sludge | | | | |
| Disposal/Recycling 02/03 | 1898821 | 13.0200Tons | | \$520.80 |
| Pickup Service 55207 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1897064 | 14.0800Tons | | \$563.20 |
| Disposal/Recycling 02/04 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1897359 | 13.7800Tons | | \$551.20 |
| Pickup Service 02/05 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1897992 | 14.2200Tons | | \$568.80 |
| Disposal/Recycling 02/06 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1898493 | 12.8800Tons | | \$515.20 |
| Pickup Service 02/11 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1898931 | 11.6500Tons | | \$466.00 |
| Disposal/Recycling 02/12 | | 1.0000 | \$241.00 | \$241.00 |
| Receipt Number 55207 | 1899107 | 13.6600Tons | | \$554.40 |



National Accounts
Phoenix, AZ 86038-924040

Return Service Requested

Please Return This
Portion With Payment

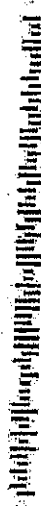
Total Enclosed

Total Amount Due \$10,904.65
Payment Due Date March 20, 2025
Account Number 3-0262-0063993
Invoice Number 0262-004573863

For Billing Address Changes,
Check Box and Complete Reverse

Make Checks Payable To:

THE CITY OF NILES OHIO
NINA THOMAS
34 W STATE ST
NILES OH 44446-5036



REPUBLIC SERVICES
NATIONAL ACCOUNTS
PO BOX 78829
PHOENIX AZ 85062-8829

3026200639930000045738630010904650



National Accounts
Phoenix, AZ 85038-024040

Account Number 3-0262-0063993
Invoice Number 0262-004573663
Invoice Date February 26, 2025

CURRENT INVOICE CHARGES

| Description | Reference | Quantity | Unit Price | Amount |
|--|-----------|-------------|------------|--------------------|
| Pickup Service 02/13 Receipt Number 55207 | 1899638 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/17 Receipt Number 55207 | 1899638 | 19.6100Tons | | \$544.40 |
| Pickup Service 02/17 Receipt Number 55207 | 1899841 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/18 Receipt Number 55207 | 1899841 | 12.2500Tons | | \$490.00 |
| Pickup Service 02/18 Receipt Number 55207 | 1900091 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/19 Receipt Number 55207 | 1900091 | 13.5700Tons | | \$542.80 |
| Pickup Service 02/19 Receipt Number 55207 | 1900369 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/20 Receipt Number 55207 | 1900369 | 13.7200Tons | | \$546.80 |
| Pickup Service 02/20 Receipt Number 55207 | 1900837 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/24 Receipt Number 55207 | 1900837 | 12.0600Tons | | \$483.20 |
| Pickup Service 02/24 Receipt Number 55207 | 190184 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/25 Receipt Number 55207 | 190184 | 12.3900Tons | | \$493.20 |
| Pickup Service 02/25 Receipt Number 55207 | 1901362 | 1.0000 | \$241.00 | \$241.00 |
| Disposal/Recycling 02/26 Receipt Number 55207 | 1901362 | 12.8300Tons | | \$513.20 |
| Pickup Service 02/26 Receipt Number 55207 | | 1.0000 | \$241.00 | \$241.00 |
| Service Attempt 02/27 Receipt Number 55207 | | 1.0000 | \$175.45 | \$175.45 |
| CURRENT INVOICE CHARGES | | | | \$10,804.65 |

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 50-25

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 Thirty Thousand Dollars and 00/100 (\$1,030,000.00) 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 | \$45,000.00 |
| Fund 216 | Fire Pension | \$45,000.00 |
| Fund 217 | Police & Fire 1% | \$750,000.00 |
| Fund 221 | Park | \$150,000.00 |
| Fund 255 | Cemetery | \$40,000.00 |
| TOTAL CASH TRANSFER | | \$1,030,000.00 |

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: FINANCE COMMITTEE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 51-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED STREET FUND FOR THE SCRAP TIRE GRANT; 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 Street Fund to the following accounts listed below in the total amount of One Thousand Forty-Two Dollars and 00/100 (\$1,042.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS | | | |
|---|----------------|-------------|-------------------|
| FUND | ACCOUNT NUMBER | DESCRIPTION | Appropriation |
| 223 - Street | 223-2323-56560 | Grants | \$1,042.00 |
| Total Appropriation | | | \$1,042.00 |

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 to complete payment to effectuate the scrap tire grant. 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: FINANCE COMMITTEE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 52-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED PARK FUND FOR BANK SERVICE CHARGES; 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 Park Fund to the following accounts listed below in the total amount of Ten Thousand Dollars and 00/100 (\$10,000.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS | | |
|---|----------------|----------------------|
| FUND | ACCOUNT NUMBER | DESCRIPTION |
| 221 - Park | 221-2121-58070 | Bank Service Charges |
| Total Appropriation | | \$10,000.00 |

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 to complete payment of legal obligations. 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: FINANCE COMMITTEE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 53-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED CAPITAL PROJECTS FUND FOR THE RIVERFRONT AND DOWNTOWN PROJECTS; 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 accounts listed below in the total amount of Three Million Five Hundred Thousand Two Hundred Eighty-Eight Dollars and 00/100 (\$3,500,288.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS | | | |
|---|----------------|-------------|----------------|
| FUND | ACCOUNT NUMBER | DESCRIPTION | Appropriation |
| 401 - Capital Projects | 401-4646-56560 | Grants | \$3,500,288.00 |
| Total Appropriation | | | \$3,500,288.00 |

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 to complete the Riverfront and Downtown Project in a timely manner. 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. 54-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO CONTRACT WITH OMNI FIBER FOR BROADBAND SERVICES FOR THE CITY OF NILES; AND DECLARING AN EMERGENCY

WHEREAS, the City of Niles is seeking to contract with Omni Fiber, for broadband services in the amount of \$1500.00 per month for sixty months, attached hereto.

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

SECTION 1: Council hereby authorizes the Service Director to contract with Omni Fiber for broadband services in the amount of \$1500.00 per month for 60 months, provided that the Law Department approves the form of the contract. (See attached).

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

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 - 1Gb Broadband - 12 locations

THE CITY OF NILES
 34 West State Street
 Niles, OH 44446
 United States

Omni Fiber
 4680 Parkway Dr.
 Suite #450
 Mason, OH 45040
 United States

Mike Dibble
 qdibblm@thecityofniles.com

Prepared by: Todd Rismiller
 Head of Commercial Services
 todd.rismiller@omnifiber.com

Reference: 20250214-160354814
 Quote created: February 14, 2025
 Quote expires: March 16, 2025

Total \$1,500.00

Products & Services

| PRODUCTS & SERVICES | LOCATION | QUANTITY | PRICE |
|---|--|----------|------------------------------|
| Business Broadband - 1000Mb - 60 Months | City Hall - 34 W. State St. | 1 | \$160.00 / month for 5 years |
| Static IP (/28 = 13) - 60 Months | City Hall - 34 W. State St. | 1 | \$130.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Main Power Sub - 951 Youngstown Warren Rd. | 1 | \$110.00 / month for 5 years |

| PRODUCTS & SERVICES | LOCATION | QUANTITY | PRICE |
|---|--|----------|---------------------------------|
| Business Broadband - 500Mb - 60 Months | Deer Trail Water Tower - 2700 Deer Trail | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Pump Station - North Crandon Ave | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Fire Substation - 1235 Niles-Cortland Rd | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Camera - R422 & R46 | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Camera - Verizon Parking Lot | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Camera - Old Pier 1 Parking Lot | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Ridge Road Water Tower | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Camera - Rt 46 North | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | Camera - Rt 42 & North | 1 | \$110.00 / month for 5 years |
| Business Broadband - 500Mb - 60 Months | North Road Substation | 1 | \$110.00 / month for 5 years |
| Construction & Installation | WAIVED | 1 | \$0.00 after 100% discount |

| SUMMARY | |
|-------------------|--------------------------------------|
| Monthly subtotal | \$1,500.00 |
| One-time subtotal | \$0.00 after \$85,500.00 discount |

| | |
|--|-------------------|
| | Total |
| | \$1,500.00 |

| | |
|--|--|
| <p>Comments</p> <ul style="list-style-type: none"> • Quote does not include taxes, fees, and government imposed surcharges. • If video service applies, customer responsible for providing a smart TV or adjunct device to enable Omni Fiber video streaming service. • Customer to provide space, power, and access to terminate service into the building. • Does not assume ebill and autopay discounts are elected. To enact discounts, customer shall contact Customer Care post installation to provide information for billing. Ebill and Autopay discounts may already be reflective on existing services if this service order is reflective of an upgrade. • Thank you for your patronage with Omni Fiber! | |
|--|--|

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 56-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER AND LIGHT FUND FOR THE ENBRIDGE SETTLEMENT; 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 Funds to the following accounts listed below in the total amount of Four Thousand Nine Hundred Seventy-Five Dollars and 00/100 (\$4,975.00).

| APPROPRIATION FROM UNAPPROPRIATED FUNDS | | | |
|---|----------------|---------------|-------------------|
| FUND | ACCOUNT NUMBER | DESCRIPTION | Appropriation |
| 501 - Water | 501-5151-57010 | Miscellaneous | \$3,316.67 |
| 502 - Light | 502-5252-57010 | Miscellaneous | \$1,658.33 |
| Total Appropriation | | | \$4,975.00 |

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 to complete payment of legal obligations. 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: FINANCE COMMITTEE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 57-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND FOR ENGINEERING SERVICES FOR PHASE 2 OF THE SHERMAN AVENUE SIDEWALK REPLACEMENT PROJECT; 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 General Fund to the following accounts listed below in the total amount of Twelve Thousand Nine Hundred Thirty-Two Dollars and 00/100 (\$12,932.00):

| APPROPRIATION FROM UNAPPROPRIATED FUNDS | | | |
|---|----------------|-----------------|--------------------|
| FUND | ACCOUNT NUMBER | DESCRIPTION | Appropriation |
| 101 - General | 101-1045-53700 | Consultant Fees | \$12,932.00 |
| Total Appropriation | | | \$12,932.00 |

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 for engineering services to complete phase 2 of the Sherman Avenue Sidewalk Replacement Project. 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. 58-25

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE THROUGH SOURCEWELL COOPERATIVE FOR THE CONSTRUCTION OF RESTROOMS FOR THE NILES RIVERFRONT LAUNCH; REPEALING ORDINANCE 35-25; AND, DECLARING AN EMERGENCY

WHEREAS, pursuant to the City of Niles purchasing policy 1.6 any purchase over \$10,000.00 through cooperative purchasing requires Council approval, and

WHEREAS, Council desires to authorize state purchasing for the Niles Riverfront Launch bathroom.

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

SECTION 1: That the Service Director is hereby authorized to purchase through Sourcewell Cooperative, for the construction of restrooms (Tioga Special Double Vault) for Niles Riverfront Launch in the amount of Seventy Six Thousand Three Hundred Eighty Seven Dollars and 00/100 (\$76,387.00).

SECTION 2: That this Ordinance hereby repeals Ordinance 35-25.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare to allow engagement to begin as soon as possible as materials are significantly delayed due to market conditions. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

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

MAYOR

City of Niles, Ohio

SPONSORED BY: Comm. Dev. And Neigh. Stabilization
AUTHORIZED BY: All Members

DRAFT NO. 59-25

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 105-24, IN PART, REGARDING CERTAIN LANGUAGE IN THE CITY MORATORIUM PREVIOUSLY IMPLEMENTED UNTIL JANUARY 1, 2026, ON THE ISSUANCE OF ZONING PERMITS AND OTHER LICENSES OR PERMIT APPLICATIONS FOR SMALL BOX DISCOUNT STORES IN THE CITY OF NILES, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, under Ohio Constitution, Article XVIII, Section 3, municipalities are given broad authority to quote exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general law;" and

WHEREAS, "fresh food" as used herein means food for human consumption that is in its raw or unprocessed state or food that was quickly frozen while still fresh and has not deteriorated; and

WHEREAS, "produce" as used herein means fruits and vegetables that have not been processed in any way, but does not include herbs, wild rice, dried fruits and vegetables, raw nuts, popcorn, meat, cheese, eggs, or seafood; and

WHEREAS, "small box discount stores" as used herein means a ~~retail~~-store between ~~3,000 and 15,000~~ square feet—that sells directly to consumers a limited assortment of physical goods, products, or merchandise, personal grooming and health products, household goods, and other consumer products, including food or beverages for off-premise consumption, most of which are sold for \$10.00 or less, and that generally does not dedicate at least 15% of shelf space to fresh food and produce; and

WHEREAS, City Council desires to foster businesses that improve access to a healthy diet by selling affordable fresh food and produce and to protect the economic viability of neighborhoods by ensuring a diversity of businesses with sufficient opportunities for independent owners; and

WHEREAS, there is a proliferation of small box discount stores in the City, and small box discount stores continue to announce plans to expand in urban areas where they cater to low and moderate-income customers looking for discounted goods and where there are often no neighborhood grocery stores; and

WHEREAS, although small box discount stores may fulfill a need in places that lack basic retail services, growing evidence demonstrates that small box discount stores not only are a byproduct of economic distress but also are a cause of it; and

WHEREAS, there is no or very limited shelf space devoted to produce in small box discount stores and most have only a limited selection of fresh foods; and

WHEREAS, small box discount stores sell packaged foods in single serving quantities that have lower price points, but are in actuality more expensive per ounce; and

WHEREAS, small box discount stores employ fewer people at lower wages than grocery stores, often face class action lawsuits for violating fair Labor Standards, and lean heavily upon taxpayers to subsidize their employees' health care; and

WHEREAS, profits from small box discount stores inure to their corporate office, while local business profits return to the community they serve; and

WHEREAS, there are concerns about safety and security surrounding small box discount stores because of the often high incidences of crime and theft in and around them, often due to a lack of security; and

WHEREAS, this Ordinance constitutes an emergency measure for the immediate preservation of the public peace, property, health, safety, or welfare and that a moratorium on the issuance of certain zoning permits and other licenses or permit applications for small box discount stores is necessary while the City considers reasonable restrictions and regulations for such stores in the City; and

WHEREAS, a moratorium will allow the City time to accomplish this goal.

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

SECTION 1

That, notwithstanding and as an exception to any provisions of the Codified Ordinances of the City of Niles, and for the reasons stated in the preamble, **the City Council hereby imposes a moratorium on the issuance of zoning permits and other licenses or permit applications to establish a small box discount store as a new use until January 1, 2026**, or until such time as the City has established regulations regarding review and issuance of zoning permits and other licenses or permit applications to establish small box discount stores whichever is earlier. "Small box discount stores" means a ~~retail-store between 3,000 and 15,000-square-feet~~ that sells directly to consumers a limited assortment of physical goods, products, or merchandise, personal grooming and health products, household goods, and other consumer products, including food or beverages for off-premise consumption, most of which are sold for \$10.00 or less, and that generally does not dedicate at least 15% of shelf space to fresh food and produce.

SECTION 2

City Council finds that a moratorium until January 1, 2026, is reasonable to protect the health, safety, welfare, peace, and comfort of the citizens of the City more effectively than will allow for adequate research into these types of retail stores.

SECTION 3

The City's code enforcement officers, law enforcement, or any other person authorized to enforce county ordinances in the City may enforce the provisions of this Ordinance. Any person violating any provision of this Ordinance shall be punished for each offense according to the law. Each day such violation continues shall be deemed a separate offense. The minimum fine for such an offense shall be One Hundred Dollars (\$100.00). Nothing contained herein shall prevent the City from taking such other lawful action in law and equity as may be necessary to remedy any violation of, or refusal to comply with, any part of this Ordinance, including but not limited to the following; enforcement action pursuant to Codified Ordinances of the City of Niles; pursuit of injunctive and declaratory relief in a court of competent jurisdiction; initiating an action to recover any and all damages that may result from a violation of, or a refusal to comply with, any part of this Ordinance; or utilizing any other action or enforcement method allowable by law..

SECTION 4

All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such

holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 6

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare, and safety, the emergency being **the necessity to impose a moratorium until January 1, 2026, on the issuance of zoning permits and other licenses or permit applications to establish a small box discount store as a new use in the City**, as above described; and it shall take effect and be enforced immediately upon its passage and approval by the mayor; otherwise it shall take effect and be in force from and after the earliest period 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 this _____ day of _____, 2025.

MAYOR

City of Niles, Ohio

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

DRAFT NO. 60-25

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE UPDATED VEHICLE USE POLICY FOR THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the City updated the Vehicle Use Policy. (See attached).

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

SECTION 1: That Council hereby approves the updated Vehicle Use Policy, a copy of which is attached hereto.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety and welfare, for the reason that it is imperative that the updated Vehicle Use 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, Ohio Vehicle Use Policy

Policy Statement

The City of Niles, Ohio may assign a vehicle to designated officials or City employees (whether on a case-by-case or continual basis) for the purpose of discharging office City business. This shall be done so long as the City of Niles can afford such benefit, and the employees live within the City limits or within a fifteen (15) mile air radius of the City building to which they report. The City owns and maintains such vehicles, including related equipment, explicitly to conduct official City business.

All employees who may be required to drive either a City owned, leased vehicle or a privately owned vehicle for City business must possess a current and valid Ohio driver's license. If any employee has reason to believe that their license may not be current or valid, the employee must notify their department supervisor and the Safety-Service Director within 24 hours.

Personal use and the use of City-owned vehicles, included related equipment, for the private gain of any elected, appointed or City employee, included related equipment, except for commuting and de minimus personal use, is strictly prohibited.

Drivers guilty of policy violations are subject to disciplinary action including, but not limited to, the prohibition to operate city-owned vehicles or possible termination.

Vehicles are to be operated in a manner which avoids even the appearance of impropriety.

This policy dose not apply to the City's Safety Forces.

1) General Guidelines for Using City Vehicles

- a) City Vehicles are municipal property and are to be used for official City business only.
- b) Employees may not use vehicles assigned while off-duty except for work-related activities.
- c) City vehicles can be used to transport non-City individuals (those who are not City employees) if the transport is for business purposes. It is not permitted without express written approval from the Safety/Service Director to transport non-City individuals (those who are not City employees) for non-business purposes.
- d) Only City employees can operate City vehicles. Contract employees and unpaid interns cannot operate City vehicles.
- e) Operators of vehicles or equipment that require a special class license must possess the license prior to operating such vehicles or equipment. Those employees who possess a driver's license from another state must obtain an Ohio driver's license within three months of their date of hire.
- f) Unattended vehicles must be locked at all times. Unattended vehicles must not have a key in the ignition.
- g) All travel outside the City limits must be done for legitimate business purposes. Supervisor approval is strongly encouraged.
- h) Hitchhikers and pets are not allowed to ride in any city-owned vehicle.
- i) Eating food is prohibited while driving a city-owned vehicle.

2) Individual Responsibilities

- a) The driver and all passengers must wear seat belts at all times when the vehicle is in motion.
- b) Employees must comply with applicable state and local driving laws, parking regulation and City safety policies
- c) Employees must drive according to road conditions especially during inclement weather.
- d) Employees are personally responsible and liable for any citations and/or violations received while operating a City vehicle.
- e) For employees required to drive or maintain a valid driver's license as part of their official duties, driving record convictions may be considered as grounds for disciplinary actions, up to and including termination, whether infractions occurred while conducting City business or outside of work. Employees are required to immediately report to their supervisors and the Safety/Service Director any tickets or citations for stationary or moving violations received while operating a vehicle for City business.
- f) Employees must notify their immediate supervisor and the Safety-Service Director within 24 hours of receiving notice that their license will be revoked or suspended.

- g) Drivers shall not operate City or personal vehicles for City business when they are required to take medication which may impair their ability to safely operate a moving vehicle. Drivers have an affirmative duty to report to their health care provider, the fact that they are required to drive for City business and the type of vehicles that they are responsible for to enable the provider to give appropriate direction about the use of prescription medication and City driving tasks. Drivers must also report any restrictions and limitations to their supervisor and the Safety/Service Director when taking such medications.
- h) Employees operating City vehicles are strictly prohibited from cell phone use (phone, text, data, etc.) while the vehicle is in operation.
- i) Under no circumstances will any employee purchase, carry or consume any form of alcoholic beverage or controlled drug substance while operating a City vehicle.
- 3) Take-Home Vehicle Assignment** Employees must meet at least one of the following four (4) criteria:
- a) if emergency response/emergency call-out is the justification, vehicle use must be supported by data demonstrating the actual number and nature of required emergency responses. There must be a minimum of eight (8) emergency responses per quarter or thirty-two (32) per year to meet the standard. In addition, there must be an explanation as to why alternative forms of transportation cannot be used to respond to the emergencies and why assigned City vehicles cannot be picked up at the City building.
 - b) If economic benefits is the justification, it must be supported by a calculation of economic benefit to the City. The cost of mileage and the time it takes an employee to travel from their home to their workstation may be included in the calculation of economic benefits to the City. In addition, there must be an explanation as to why alternative forms of transportation cannot be used to respond to the emergencies and why assigned City vehicles cannot be picked up at the City building.
 - c) If special equipment is used as a justification, the following information must be provided:
 - (1) The necessary special equipment must be described
 - (2) Explanation of why a City vehicle is required to transport the special equipment
 - (3) How the equipment is used
 - (4) Why the vehicle cannot be picked up at the City building
 - (5) Description of the type and nature of emergencies that requires the use of such equipment within the vehicle
 - d) If the Union contract is used as justification, the relevant collective bargaining agreement language is to be cited and approved by the Safety-Service Director.
 - e) The Take-Home Vehicle Assignment Request Form shall be submitted to the Niles City Administration for approval each year.

NOTE: Employees authorized to use a City owned vehicle on a 24-hour-per-day, seven-day-a-week basis shall be subject to imputed income tax regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The City of Niles will use IRS Publication 15-B "Employers Guide to Fringe Benefits," Section 3, Fringe Benefit Valuation Rules, Commuting Rule, in determining any tax liability and automatically update changes to the rate as made by the IRS. The rule establishes a \$1.50 per one-way commute value as the non-cash taxable fringe value. This value will be includable in the employee's gross income and is subject to all Federal withholding taxes. Employees who are assigned marked police, unmarked police vehicles or specialized vehicles carrying tools and meeting certain other eligibility criteria established by the IRS will not be subject to the rule. (This provision will update automatically in accordance with IRS Rules.)

4) Safety

- a) Employees must comply with all driver safety training and the policies and procedures established by the City of Niles.
- b) Employees shall operate vehicles and equipment in compliance with traffic laws and the rules and regulations within the City of Niles and the State of Ohio, including the use of seat belts at all times by the operator and all passengers.
- c) City employees may not operate a motor vehicle while under the influence of alcohol or a controlled substance.
- d) Smoking and the use of smokeless tobacco in City's vehicles is strictly prohibited.
- e) Employees operating City vehicles are strictly prohibited from cell phone use (phone, text, data, etc.) while the vehicle is in operation.
- f) Wearing stereo/music headphones/ear buds while operating a City vehicle is prohibited.
- g) City employees will avoid any vehicle use which might result in or create the appearance of impropriety with regard to public perception concerning misuse of City vehicles, Citizen complaints concerning driving habits such as speeding,

recklessness, and/or other inappropriate behavior may lead to revocation of vehicle assignment and other appropriate disciplinary actions.

- h) Any employee who is found to have an expired, canceled, revoked, suspended or photo ID license will be prevented from driving for City business.

5) Private Vehicle Use

- a) All private vehicles authorized for City business will be properly insured in the State of Ohio pursuant to Ohio financial responsibility laws.
- b) All private vehicles authorized for City business will be properly licensed and maintained in accordance with City of Niles Ordinances and State of Ohio's vehicle operating requirements.
- c) Employees must maintain a current Ohio Driver's License. (Any employee who is found to have an expired, canceled, revoked, suspended, or photo ID license will be prevented from driving for City business.)
- d) The City shall provide gasoline in accordance with Collective Bargaining agreements and the City's Gasoline policy for employees performing City business in which private vehicles are used. (Employees are required to submit appropriate forms pursuant to the Vehicle Use policy and the Gasoline policy.)

6) Accidents of City-Owned/Personal Vehicles used in Performance of Job

- a) Any crash in a City vehicle, City leased vehicle or personally owned vehicle used in performance of job duties must be reported in accordance with the City of Niles Vehicle Accident Reporting Procedures.
- b) The City of Niles Drug Testing Policies and Procedures must be followed.
- c) Incidental damage to a vehicle or equipment, defined as damage while the vehicle is unattended or damage such as a broken windshield from a flying rock must also be reported to the employee's immediate supervisor.

7) Graphics, Painting and Markings

- a) All City vehicles will have standardized markings and graphics in accordance with each department's established marking details.
- b) Advertisements, signs, bumper stickers, or other markings of a political or commercial nature may not be displayed on any City vehicle at any time.
- c) Employees are expected to maintain the exterior and interior cleanliness of City vehicles. Blatant misuse of the vehicles, as determined by the Supervisor, which leads to the requirement of structural or other repairs may be charged back to the user.

8) Vehicle Idling

- a) In order to reduce emissions that are a result of idling diesel and gasoline engines, no City-owned diesel or gasoline powered vehicles/equipment or stationary engines may idle for more than five (5) consecutive minutes, with the following exceptions"
 - Idling when queuing*
 - Idling to verify that the vehicle is in safe operating condition;
 - Idling for testing, servicing, repairing or diagnostic purposes;
 - Idling when it is necessary to accomplish work for which the vehicle was designed (such as operating a crane or when emergency vehicles used by the Police/Fire are at the scene of an incident);
 - Idling to bring the machine system to operating temperature; and
 - Idling to ensure safe operation of the vehicle.

NOTE: For the purpose of this section, queuing shall mean the intermittent starting and stopping of a vehicle while the driver, in the normal course of doing business, is waiting to perform work or a service, and when shutting the vehicle engine off would impede the progress of the queue and is impracticable. Queuing does not include the time a driver may wait motionless in line in anticipation of the start of a workday or a location where work or a service will be performed.

9) Disciplinary Action

In accordance with the Policy, Ohio Revised Code and pertinent collective bargaining agreements, employees who are found to have violated the policies set forth or if there are any indications or misconduct involving City vehicles, may be subject to disciplinary action up to an including termination.

Take-Home Vehicle Assignment Authorization Request

Employee Name: _____
Position Title: _____
Department: _____
Primary Work Location: _____

City of Residence: _____
Current Odometer Reading: _____
Daily Commute Miles: _____
Daily Business Miles: _____

Number of Emergency callouts in previous year: _____
Jan. 1-March 31: _____ April 1-June 1: _____
July 1-Sept 30: _____ Oct. 1-Dec. 31: _____

Pursuant to the City of Niles Vehicle Use Policy, requests to authorize take-home vehicles must meet at least one of the following criteria:

- ____ **Emergency Response:** The employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property, and the employee is called out at least 8 times per quarter. A "call-out" is defined as a directive to an employee to report to a work site during off duty time. Documentation listing the number and nature of callouts from the prior year. In addition, there must be an explanation of why alternate transportation cannot be used and why a City vehicle cannot be picked up from the City building. **Attach all justification and back-up documentation to this form.**
- ____ **Economic Benefit:** There is an economic benefit to the City. This means the cost of travel/daily business reimbursement would exceed the costs associated with a take-home vehicle. **Attach all justification and back-up documentation to this form.**
- ____ **Special Equipment:** The employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property, and the employee needs a special equipment and/or carries specialized equipment other than communications equipment in order to perform their work outside of normal working hours. A description of this equipment must be submitted along with the Take-Home Vehicle Request. **Attach all justification and back-up documentation to this form.**
- ____ **Union Contract:** Collective bargaining agreement may provide general language for department director to approve take-home assignment. **Provide union name, contract number, and attach a copy of the relevant contract language.**

NOTE: Use of a City owned take-home vehicle is a fringe benefit that generates a tax liability. If your request for take-home assignment is approved, you are encouraged to speak with the City Auditor concerning possible tax liabilities.

Requestor: I have read and understand the City's Policies governing take-home vehicles assignments. I certify that this request meets the requirements.

Requestor's Name (Print): _____ **Date:** _____
Requestor's Signature: _____

Safety/Service Director: I certify that this request meets the requirements of the City's Policy.

Approved: _____ Denied: _____
Safety/Service Director's Name (Print): _____
Safety/Service Director's Signature: _____ **Date:** _____

City of Niles, Ohio

SPONSORED BY: PUBLIC GROUNDS
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 49-25

RESOLUTION NO. _____

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

WHEREAS, for six days, May 23, May 24, May 25, August 29, August 30, and August 31, 2025, the City of Niles is promoting a city-wide garage sale; and,

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

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

SECTION 1: Council hereby approves the waiving of the permit fee, as required by Niles Codified Ordinance Section 753.04, for any residential garage or yard sale held on May 23, May 24, May 25, August 29, August 30, and August 31, 2025.

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

SECTION 3: This Resolution is declared to be an emergency measure in the interest of the public health, safety and welfare and to allow for residents to prepare. As such, this Resolution shall take effect immediately upon its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 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. 55-25

RESOLUTION NO. _____

A RESOLUTION IN OPPOSITION TO THE PASSAGE OF HOUSE BILL 160

WHEREAS, the voters within the City of Niles overwhelmingly favored the passage of Issue 2; and

WHEREAS, the City of Niles desired to participate in the Host Community Cannabis Fund which permits the collection of tax revenue from the cannabis dispensaries located within the City of Niles; and

WHEREAS, the City of Niles would have used this excise tax to supplement income tax dollars within the City of Niles and assist with the stabilization of tax rates for years to come; and

WHEREAS, the passing of House Bill 160 will limit the City's receipt of tax revenue to 20 percent of the original proposed revenue from cannabis dispensaries located within the City of Niles and then eliminate any collection after five years; and

WHEREAS, the displacement of tax revenue dollars that would have otherwise created a future revenue stream to support programs directed towards the health, welfare, and safety of the municipality has now placed the financial burden back on to the City of Niles taxpayers.

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

SECTION 1. For the foregoing reasons, the Council of the City of Niles hereby joins the Mayor in its opposition to House Bill 160. (See attached letter of opposition).

SECTION 2. The Council hereby orders the Clerk of Council to send a certified copy of this Resolution to State Representative Nick Santucci.

SECTION 3: This Resolution shall take effect upon passage by Council.

PASSED: _____

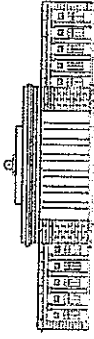
PRESIDENT OF COUNCIL

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



Birthplace of William McKinley
25th President of the United States

Office of the Mayor

City of Niles, Ohio



34 West State Street
Niles, Ohio 44446

STEVEN MIENTKIEWICZ
MAYOR

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

March 17, 2025

TO: *Representative Nick Santucci*
Ohio House District 64
77 South High Street-13th Floor
Columbus, OH 43215

RE: *Letter of Opposition- H.B. 160*

Representative Santucci,

Please accept this letter as official correspondence in opposition to House Bill 160. Under current Ohio statute, municipalities (including the City of Niles) with cannabis dispensaries are poised to collect revenue from recreational sales through what's known as the Host Community Cannabis Fund. This excise tax would be utilized to offset income tax dollars within the City of Niles and assist with the stabilization of tax rates for years to come, thus benefiting the citizens of Niles.

Governor DeWine's recent budget proposal calls to eliminate the community fund as did the draft proposal of Senate Bill 56, which called for the redirection of all revenue to the state's General Revenue Fund. House Bill 160 drastically changes the host community allocation and eliminates it after five years. This is unacceptable, since a cannabis dispensary in a host community may remain operational after the five-year period with the host being stripped of the excise tax. The sole reasoning behind permitting a cannabis dispensary to establish within the City of Niles was because of the associated economic impact. This unprecedented benefit would have created a future revenue stream to support programs directed towards the overall health, welfare and safety of the municipality.

The City of Niles overwhelming supported Issue 2, our elected officials and administrators worked tirelessly to support a cannabis dispensary with the caveat that a host agreement be established. Changing the rules with the passage of House Bill 160 is a slap in the face to the Niles community. I urge you to NOT entertain such legislation that would negatively affect the City of Niles in a manner that would place future financial burden on the backs of the Niles taxpayer.

Please feel free to contact my office at 330-544-9000 ext. 1101 with any questions that are concerning to this matter.

Sincerely,

Steven Mientkiewicz
MAYOR-The City of Niles

C.c.: Niles City Council