

RECORD OF ORDINANCES

Ordinance No. 2019-58

Passed June 19, 2019

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE DECLARING CERTAIN EQUIPMENT AS OBSOLETE AND UNFIT AND AUTHORIZING THE VILLAGE TO HAVE SAID EQUIPMENT DESTROYED, AND DECLARING AN EMERGENCY

WHEREAS, This Council may destroy Village equipment which it finds lacks value and is no longer needed for public use, is obsolete, or, is unfit for the use for which it was acquired; and,

WHEREAS, This Council wishes to adopt an Ordinance expressing its intent to authorize the destruction of certain Mogadore Fire Department equipment that is not needed for public use and found to be obsolete or unfit; and,

WHEREAS, this Council wishes to authorize the Mayor, Fiscal Officer and/or Fire Chief to have the obsolete or unfit equipment destroyed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: That this Council finds valueless and unneeded certain Village equipment, said equipment being set forth on Exhibit "A" and incorporated herein.

SECTION 2: The Mayor, Fiscal Officer and/or Fire Chief are hereby authorized and directed to have said obsolete and unfit equipment destroyed, as such equipment is no longer needed for municipal purposes.

SECTION 3: That the recitals set forth above are incorporated by reference herein.

SECTION 4: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of Village residents, for the immediate implementation of the destruction of certain obsolete and unfit equipment, and to allow for the continued operations of the Village Administration, Fire Department, and other departments and shall, therefore, take effect and be in force from and immediately after its passage.

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Passed June 19, 2019

Michael Raddish 6-19-19

President of Council

Date

[Signature]

6-26-19

Mayor

Date

Attest:

[Signature]

455r Clerk-Treasurer

RECORD OF ORDINANCES

Resolution
Ordinance No. 2019-59Passed June 19, 2019

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO SELL THE UNNEEDED PERSONAL PROPERTY (2006 JEEP) AND DECLARING AN EMERGENCY

WHEREAS, the Village owns personal property, i.e. a 2006 Jeep Liberty, that it no longer needs and now desires to sell;

WHEREAS, it is in the best interests of the Village to sell the foregoing property as it is presently being under-utilized and counterproductive for the needs of the Village at this time; and,

WHEREAS, the Village has previously authorized the sale of such property by online auction.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio, as follows:

SECTION 1: That it is in the best interests of the Village of Mogadore and its operations to sell unfit, obsolete and/or unneeded personal property, which is a 2006 Jeep automobile, VIN: 1J4GL48K96W257435.

SECTION 2: This identified personal property is hereby found to be unneeded, as it was forfeited to the Village as a part of a criminal prosecution.

SECTION 3: That the Mayor, Clerk-Treasurer and Police Chief are hereby authorized and directed to sell the aforesaid personal property in a reasonably commercial fashion, more specifically on Govdeals.com as previously authorized and contracted.

SECTION 4: That the internet auction shall satisfy the statutory minimum of ten (10) days (including Saturdays, Sundays and legal holidays) for bidding on the property.

SECTION 5: Advertising for the internet auction is hereby directed and shall be accomplished in accordance with the Ohio Revised Code and the Mogadore legislation on this topic.

SECTION 6: That Council does not set a minimum price to be accepted for these specific items and any other terms and conditions for a particular sale beyond those as set forth in the Village's agreement with GovDeals, Inc. online auction company of the same which shall be provided on the internet at the time of the auction.

SECTION 7: That no proceeds from the internet sales shall be paid in cash, rather all proceeds shall be delivered to the Clerk-Treasurer by cashier or bank check, or electronic transfer to the Village's general fund with verification of receipt delivered to the Clerk-Treasurer.

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SECTION 8: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 9: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 10: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued operations of the Village Police Department and other departments and shall therefore take effect and be in force from and immediately after its passage.

Michael Raddish 6-19-19
President of Council Date

[Signature] 6-19-19
Mayor Date

Attest:

[Signature]

Asst Clerk - Treasurer

RECORD OF ORDINANCES

Resolution
Ordinance No. 2019-60

Passed June 19, 2019

SPONSOR: PLANNING AND ZONING

A RESOLUTION TO REFER A PROPOSED ORDINANCE TO THE PLANNING COMMISSION TO AMEND THE VILLAGE ZONING CODE AND CREATE CODE OF ORDINANCE SECTION 152.034 REGARDING VEHICLE SALES ON COMMERCIAL LOTS AND TO AMEND CODE OF ORDINANCE SECTION 152.047(A)(8), AND DECLARING AN EMERGENCY

WHEREAS, Chapter 152.133 of Mogadore's Codified Ordinances allows Council by its own motion to refer matters of zoning amendments to the Planning Commission in writing by the passage of a resolution; and,

WHEREAS, it is in the best interests of and furthers the public peace, health, safety, and general welfare of the Village residents for the Planning Commission to create Section 152.034 of the Code of Ordinances of the Village of Mogadore regulating vehicle sales on commercial lots; and,

WHEREAS, it is in the best interests of and furthers the public peace, health, safety, and general welfare of the Village residents for the Planning Commission to amend Section 152.047(A)(8) of the Code of Ordinances of the Village of Mogadore;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the subject matter of establishing regulations regarding the sale of vehicles on commercial property within the Village is hereby recommended to the Planning Commission, for approval, disapproval or recommended modifications. A proposed amendment to the Mogadore Code of Ordinances and in particular the zoning code creating Section 152.034 is attached hereto and incorporated herein as Exhibit "A."

SECTION 2: That the subject matter of establishing regulations regarding the permitted use of car lots within the C-1 Commercial District is hereby recommended to the Planning Commission, for approval, disapproval or recommended modifications. A proposed amendment to the Mogadore Code of Ordinances and in particular the zoning code amending Section 152.047(A)(8) is attached hereto and incorporated herein as Exhibit "B."

SECTION 3: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 4: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

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SECTION 5: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and general welfare of the Village residents, and, to allow for the regulation of the sale of vehicles on commercial properties within the Village. This legislation shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise; at the earliest opportunity provided for by law.

Michael Raddish 6-19-19
President of Council Date

Rich 6-19-19
Mayor Date

Attest:

Debbie Dault

Asst Clerk - Treasurer

RECORD OF ORDINANCES

Resolution
Ordinance No. 2019-61Passed June 19, 2019

SPONSOR: PLANNING AND ZONING

A RESOLUTION REFERRING A PROPOSED ORDINANCE TO REGULATE DUMPSTERS AND AMENDING THE VILLAGE ZONING CODE TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY

WHEREAS, Chapter 152.133 of Mogadore's Codified Ordinances allows Council by its own motion to refer matters of zoning amendments to the Planning Commission in writing by the passage of a resolution; and

WHEREAS, it is in the best interests of and furthers the public peace, health, safety, and general welfare of the Village residents for the Planning Commission to regulate the use of construction dumpsters, rubbish dumpsters, and dumpster bags;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio, as follows:

SECTION 1: That the subject matter of establishing regulations regarding the use of construction dumpsters, rubbish dumpsters, and dumpster bags within the Village is hereby recommended to the Planning Commission, for approval, disapproval or recommended modifications. A proposed amendment to the Mogadore Code of Ordinances and in particular the zoning code are attached hereto as Exhibit "A," "B," and "C."

SECTION 2: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 3: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and general welfare of the Village residents, and, to allow for the regulation of the use of construction dumpsters, rubbish dumpsters, and dumpster bags. This legislation shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise; at the earliest opportunity provided for by law.

RECORD OF ORDINANCES

Resolution
Ordinance No. 2019-61

Passed June 19, 2019

Michael R. Radich 6-19-19
President of Council Date

[Signature] 6-19-19
Mayor Date

Attest:

Debbie Klock
Asst Clerk - Treasurer