

Village of Mogadore

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Mogadore, OH 44260

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COUNCIL MEETING AGENDA

December 7, 2022

5:30 p.m.

1. Moment of Reflection – Ms. B. Van Dike
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from November 16, 2022, Council meeting presented for changes, corrections, and adoption
6. Comments from the Audience on pending legislation
7. Committee Reports
8. Old Business – None.
9. New Business –
 - Resolution 2022-75** – Mr. J. Tonsic – A RESOLUTION AUTHORIZING THE SELECTION AND APPOINTMENT OF GPD GROUP TO SERVE AS THE MUNICIPAL ENGINEER AND DECLARING AN EMERGENCY.
 - Resolution 2022-76** – Mr. C. Yoho – A RESOLUTION EXPRESSING THE VILLAGE’S INTENT TO SELL UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY BY INTERNET AUCTION AND REQUIRING PUBLICATION OF THE SAME, AND, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO EXECUTE ON BEHALF OF THE VILLAGE A CONTRACT FOR THE CALENDAR YEAR 2023, AND DECLARING AN EMERGENCY.
 - Resolution 2022-77** – Mr. C. Yoho – A RESOLUTION AUTHORIZING THE MAYOR TO SELL A 2012 CHEVROLET MALIBU ONLINE, AND DECLARING AN EMERGENCY.
 - Resolution 2022-78** – Mr. J. Tonsic – A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR NECESSARY 2023 CHIP AND SEAL STREET REPAIRS WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.
 - Resolution 2022-79** – Ms. K. Miller – A RESOLUTION CONFIRMING THE APPOINTMENT OF KATHY MILLER TO THE ZONING APPEALS BOARD, AND DECLARING AN EMERGENCY.

Resolution 2022-80 – Ms. B. Van Dike – RESOLUTION AUTHORIZING THE TRANSFERS WITHIN FUNDS AND DECLARING AN EMERGENCY.

Ordinance 2022-81 – Ms. B. Van Dike – AN ORDINANCE AMENDING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

Resolution 2022-82 – Mr. J. Tonsic – A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR FUNDS FOR THE SAFE ROUTES TO SCHOOL PROJECT, AND DECLARING AN EMERGENCY.

Resolution 2022-83 – Mr. J. Tonsic – A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE OF MOGADORE TO PARTNER WITH SUMMIT COUNTY AND/OR THE CITY OF AKRON, PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

Resolution 2022-84 – Mr. C. Yoho – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT TO PURCHASE A NEW MEDICAL UNIT/AMBULANCE FOR USE BY THE FIRE DEPARTMENT/EMS, AND DECLARING AN EMERGENCY.

Ordinance 2022-85 – Mr. C. Yoho – AN ORDINANCE ADOPTING THE AMENDED FULL-TIME FIREFIGHTER HANDBOOK, AND DECLARING AN EMERGENCY.

VOTE – Motion to Authorize the Mayor to conduct a drawing for a \$200.00 Amazon gift card on Village's FaceBook Page.

10. Comments

1. Public
2. Council
3. Law Director
4. Village Engineer
5. Clerk-Treasurer
6. Mayor

11. Executive Session to discuss personnel issues.

12. Adjournment

COUNCIL MEETING

November 16, 2022

Council met in regular session at 5:30 p.m. with Mayor Rick presiding.

Mr. R. McDowall asked everyone to join him in a moment of reflection for their own intentions. The Pledge of Allegiance to the Flag was recited by all.

Council Meeting was held in Council Chambers. The meeting was open to the public and live-streamed on Facebook.

Roll Call: Council Members Present: Mr. C. Yoho, Mr. R. McDowall, Ms. B. Van Dike, Mr. M. Raddish, Mr. J. Tonsic, Mr. W. Bauer, and Ms. K. Miller.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, and Marshal Pitchford.

Motion by Mr. M. Raddish, second by Mr. C. Yoho for the approval of the agenda as presented.
Vote. Unanimous ayes. Motion carried.

Motion by Mr. M. Raddish, second by Mr. R. McDowall to adopt the minutes from the November 2, 2022, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – No Comments.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer had no report.

SAFETY – Mr. Yoho reported he has two pieces of legislation to read.

FARKS – Mr. McDowall had no report.

FLANNING AND ZONING – Ms. Miller had no report.

FINANCE/AUDIT – Ms. B. Van Dike had no report.

STREETS – Mr. J. Tonsic had no report.

Council President Mr. Raddish announced the next Work Session will be held Tuesday, November 22, 2022, at 5:30 p.m. with all committees reporting.

Mr. C. Yoho stated he would not be able to attend that day.

OLD BUSINESS- None.

NEW BUSINESS-

Mr. C. Yoho presented Ordinance 2022-73 sponsored by Safety Committee as follows:

AN ORDINANCE ESTABLISHING SECTION 72.059 OF THE VILLAGE OF MOGADORE CODIFIED ORDINANCES AUTHORIZING SCHOOL CROSSING GUARDS TO DIRECT TRAFFIC IN SCHOOL ZONES; AND DECLARING AN EMERGENCY.

Mr. C. Yoho made a motion to suspend the rules requiring three readings; Mr. J. Tonsic seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. C. Yoho to adopt Ordinance 2022-73, a second was made by Ms. K. Miller.

Mayor Rick stated this will help the grade school hopefully by getting new sidewalks in the area.

Vote. Unanimous ayes. Motion carried.

Mr. C. Yoho presented Ordinance 2022-74 sponsored by Safety Committee as follows:

AN ORDINANCE ESTABLISHING SECTION 72.092 OF THE VILLAGE OF MOGADORE CODIFIED ORDINANCES PROHIBITING THE EXITING OF VEHICLES INTO TRAFFIC; AND DECLARING AN EMERGENCY.

Mr. C. Yoho made a motion to suspend the rules requiring three readings; Mr. W. Bauer seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. C. Yoho to adopt Ordinance 2022-74, a second was made by Ms. K. Miller.

Mr. M. Raddish asked how this will affect downtown street parking where Uncle Tito's is located.

Mayor Rick stated there is no parking allowed in front of Uncle Tito's.

Mr. C. Yoho asked if this legislation is Village wide.

Mayor Rick stated no, this is only in the school zone.

Fitchford stated there is already a law in the books prohibiting opening your door into traffic under a different code for areas outside the school zone.

Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Carl Housley, 67 First Avenue, thanked Mayor Rick and the Council again for putting up the speed sign a few weeks ago. Housley asked if that records the speed of vehicles.

Mayor Rick stated it does not. Temporarily signs do not record the speeds of vehicle, but the permanent signs do, and we might be able to get those in the future.

Mr. C. Yoho stated he believes the speed signs do help slow down on speeding.

COMMENTS from Council: No Comments.

COMMENTS from the Law Director: No Comments.

COMMENTS from the Village Engineer:

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Mayor Rick announced at the next work session council will be discussing the railroads work on Spring Street.

Meeting adjourned at 5:39 p.m.

Attest:

Clerk-Treasurer

Mayor

Date

RECORD OF ORDINANCES

Resolution No. 2022-75

Passed _____, 20____

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE SELECTION AND APPOINTMENT OF GPD GROUP TO SERVE AS THE MUNICIPAL ENGINEER AND DECLARING AN EMERGENCY.

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

SECTION 1: It is hereby determined to be necessary for the Village of Mogadore to employ a Municipal Engineer to work under the direction of the Director of Public Service in the preparation of plans for Village Improvement and advising various committees of the Council.

SECTION 2: The selection of Glaus, Pyle, Schomer, Burns & DeHaven, Inc. (GPD Group) to serve as Municipal Engineer for the Village of Mogadore is hereby accepted, and GPD Group is appointed and shall serve as Municipal Engineer for the Village for a period of twenty-four (24) months, effective January 1, 2023, through December 31, 2024. Notwithstanding such twenty-four (24) month period, however, this selection and appointment may be terminated at any time, without damage or other recourse, by either party upon thirty (30) days written notice.

SECTION 3: The Mayor is hereby authorized and directed to sign any and all necessary documents and/or enter into any agreement related to the appointment of GPD Group as Village Engineer.

SECTION 4: GPD Group shall perform engineering services for the Village as requested by the Director of Public Service, which requests shall be by purchase order issued under the hand and seal o the Village Clerk-Treasurer; provided that services rendered by said engineer in consulting with Council or committees thereof at any regularly scheduled or special meetings thereof shall be compensated without the issuance of a purchase order.

SECTION 5: GPD Group shall negotiate lump sum fees for all municipal design projects requiring the completion of design plans. Invoices will be processed monthly based upon an estimated percent complete for lump sum contracts.

The above fees shall cover project engineering and administrative services including preliminary plans, estimates, preliminary surveying, work drawings, permit applications, general supervision, and bidding.

Contract administration, pay estimate processing, and funding agency coordination will be paid at the rates identified in the "Hourly Rate Schedule" attached as Exhibit "A," which is incorporated herein.

Plans in excess of five (5) sets, necessary out-of-pocket expense, soil borings, testing, APPLICATION/PERMIT FEES, and field supplies will be invoiced to the Village at cost.

EXHIBIT A

GPD Group – Village of Mogadore (2023 & 2024 Rate Schedule)

Proposed Hourly Rate Schedule	2023 & 2024 Rate	Service Change
Project Principal	\$140.00	
Senior Project Manager	\$130.00	Category Added
Senior Engineer	\$113.00	Category Added
Village Engineer		Category Removed
Senior Architect	\$113.00	
Senior Landscape Architect	\$113.00	
Landscape Architect	\$104.00	
Design Engineer/Design Architect	\$102.00	
Staff Engineer/Staff Architect	\$90.00	
Engineer / Architect – Co-op/ Intern	\$60.00	
Senior Environmental Scientist	\$110.00	
Environmental Specialist	\$86.00	
Senior Designer	\$85.00	
Staff Designer	\$73.00	
CAD Drafter	\$62.00	
Construction Inspector	\$72.00	
Construction Coordinator	\$84.00	
Project Aid/Clerical	\$63.00	
Survey Project Manager	\$115.00	
Senior Surveyor	\$110.00	
Field Survey Technician 3	\$110.00	Revised Category
Office Survey Technician 3	\$95.00	Revised Category
Field Survey Technician 2	\$100.00	Revised Category
Office Survey Technician 2	\$80.00	Revised Category
Field Survey Technician 1	\$85.00	Revised Category
Office Survey Technician 1	\$65.00	Revised Category
Geotech – Project Manager	\$115.00	
Drill / Lab / Field Manager	\$100.00	
Sr. Driller & Field & Lab Tech	\$85.00	
Driller & Field & Lab Tech	\$75.00	
Asst. Driller & Field & Lab Tech	\$60.00	
Geotech Field Supplies	2023 & 2024	Service
Fixed Costs	Rate	Change
Mortar Cubes (Each)	\$11.00	
Grout Prisms (Each)	\$22.00	
Concrete Test Cylinders (Each)	\$16.00	
Concrete Test Beams (Each)	\$50.00	
Drill Rig (per Day)	\$500.00	
Hydrovac Trailer (Per Day)	\$200.00	
Floor Flatness Gauge (Per Day)	\$115.00	
Nuclear Density Gauge (Per Day)	\$60.00	

RECORD OF ORDINANCES

Resolution No. 2022-76

Passed _____, 20____

SPONSOR: SAFETY COMMITTEE

A RESOLUTION EXPRESSING THE VILLAGE'S INTENT TO SELL UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY BY INTERNET AUCTION AND REQUIRING PUBLICATION OF THE SAME, AND, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO EXECUTE ON BEHALF OF THE VILLAGE A CONTRACT FOR THE CALENDAR YEAR 2023, AND DECLARING AN EMERGENCY

WHEREAS, the Village is empowered to sell tangible items of personal property belonging to the Village that is no longer needed for any municipal purposes, in accordance with Sections 721.01-721.26, inclusive, of the Revised Code; and,

WHEREAS, section 721.15 (D) of the Revised Code specifically empowers the Council to sell, regardless of the property's value, personal property, including but not limited to motor vehicles and other equipment acquired by and/or for the use of municipal officers and departments, and road machinery, equipment, tools or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction upon the adoption, during each calendar year, of a resolution expressing the Council's intent to sell such property by internet auction; and,

WHEREAS, the Council desires to enter into a contract for calendar year 2021 with Govdeals, Inc. and/or other similar entities for conducting the internet auction for the disposition of unneeded, obsolete or unfit personal property that includes the general terms and conditions of sale; and,

WHEREAS, the Council requires the contact specifically provide: (i) that the internet auction shall satisfy the statutory minimum of ten (10) days (including Saturdays, Sundays, and legal holidays) for bidding on the property; (ii) that the Council reserves the right to set a minimum price to be accepted for specific items and any other terms and conditions for a particular sale, such as requirements for pick-up or delivery, method of payment, and sales tax if it so elects and notifies the online auction company of the same which shall be provided on the internet at the time of the auction; and, (iii) 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; and,

WHEREAS, the Clerk-Treasurer and/or his designee shall cause notice of the Council's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction, to be published, twice, in a newspaper of general circulation in the Village, including a summary of the information contained within this Resolution, and the second publication shall be published not less than ten (10) or more than twenty (20) days after the initial publication; and,

WHEREAS, upon the effective date of this Resolution, the Clerk-Treasurer shall cause notice of this Resolution and the website address for Govdeals, Inc. (or other online auction company if utilized) to be posted continually throughout the calendar year in a conspicuous place in the offices of the Village, as well as continuously throughout the calendar year on the Village's website; and,

RECORD OF ORDINANCES

Resolution No. 2022-77

Passed _____, 20____

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO SELL A 2012 CHEVROLET MALIBU ONLINE, AND DECLARING AN EMERGENCY.

WHEREAS, the Village owns personal property, i.e. a 2012 Chevrolet Malibu, VIN #1G1ZE5E09CF145949, that was seized as part of Portage County Court of Common Pleas Court, Case Number: 2022 CR 00119, *State of Ohio vs. Lutrell A. Eaton*; and,

WHEREAS, the Village no longer needs and now desires to sell the aforesaid vehicle; and,

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; and,

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 the aforesaid 2012 Malibu.

SECTION 2: This identified personal property is hereby found to be unneeded.

SECTION 3: That the Mayor, Clerk-Treasurer and/or the Mayor's designee 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 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.

SECTION 7: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

RECORD OF ORDINANCES

Resolution No. 2022-78

Passed _____, 20____

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR NECESSARY 2023 CHIP AND SEAL STREET REPAIRS WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

WHEREAS: The Village of Mogadore has determined that it is necessary for the Village to enter into a contract for labor and materials necessary for street improvements within the Village of Mogadore; and

WHEREAS, it is necessary for the Clerk-Treasurer to advertise for bids for such repairs, labor, and materials in accordance with plans and specifications on file in the office of the Clerk-Treasurer.

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

SECTION 1: The Clerk-Treasurer of the Village is hereby authorized and directed to advertise for bids 2023 chip and seal street repairs for the Village and its residents, in accordance with specifications on file in the Office of the Clerk-Treasurer.

SECTION 2: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: Council declares this to be an emergency measure immediately and necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Mogadore, provided this legislation receives the affirmative vote of at least five (5) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

SECTION 4: This Resolution is hereby declared to be an emergency measure found necessary so as to award said contract for street improvements at the earliest possible time and during the season for such repairs, and for immediate preservation of the public peace, health and safety of the residents of the Village of Mogadore and shall take effect and be in force from and after its passage by Council approval by the Mayor or at the earliest period allowed by law.

President of Council

Date

Mayor

Date

Attest:

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2022-79

Passed _____, 20____

SPONSOR: PLANNING AND ZONING COMMITTEE

A RESOLUTION CONFIRMING THE APPOINTMENT OF KATHY MILLER TO THE ZONING APPEALS BOARD, AND DECLARING AN EMERGENCY.

WHEREAS, on November 8, 2022, by a vote of the majority of the electors in the Village of Mogadore, the Charter was amended to create a Council representative member (seat) on the Village Board of Zoning Appeals; and,

WHEREAS, Council has approved the appointment of Kathy Miller to the Board of Zoning Appeals.

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

SECTION 1: Kathy Miller is hereby appointed as the Council Representative to the Board of Zoning Appeals effective January 1, 2023. She shall serve in this role until the conclusion of her term on Council.

SECTION 2: All prior resolutions and ordinances that relate to or in any way conflict with this measure are hereby repealed and rescinded.

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

SECTION 4: This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the Village of Mogadore and the inhabitants thereof, and for the further reason that this Resolution must be immediately effective in order to provide for the timely appointment provided for herein, which is necessary to preserve and protect the legal interests of the Village. This Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

President of Council Date

Mayor Date

Attest:

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2022-80

Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

RESOLUTION AUTHORIZING THE TRANSFERS WITHIN FUNDS AND DECLARING AN EMERGENCY.

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

SECTION 1: It is the recommendation of the Mayor and the Finance/Audit Committee that the following transfer of funds be made from the General Fund.

From: General Fund	\$60,000.00
To: Fire/EMS Fund	\$40,000.00
Cemetery Fund	\$20,000.00

SECTION 2: The Village of Mogadore finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meeting of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

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

SECTION 4: This Resolution is an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Village of Mogadore and the inhabitants to ensure the current and other financial obligations of the Village of Mogadore are timely met and provided 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 by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

President Council

Date

Mayor

Date

Attest:

Clerk-Treasurer

RECORD OF ORDINANCES

Ordinance No. 2022-81

Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

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

SECTION 1: Findings and Determinations. This Council finds and determines the following matter:

It is necessary to make annual appropriations to provide for current expenses and other expenditures of the Village for the fiscal year ending December 31, 2022

SECTION 2: Amended Appropriations. This Council amends the following sums for the current expenses and other expenditures of the Village for the fiscal year ending December 31, 2022, from the various funds of the Village, as follows:

GENERAL FUND

Police Law Enforcement	
Personal Services	\$ 33,000.00
Other	\$ (20,000.00)

STREET CONSTRUCTION/MAINTENANCE

Other:	\$ 10,000.00
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COURT COMPUTERIZATION

Other:	\$ 2,260.00
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SECTION 3: Revised Total Appropriations. With Such amendments specified in Section 2 above, the total revised appropriations for the Village for the fiscal year ending December 31, 2022, is now contained in Exhibit A attached hereto and incorporated by reference herein.

SECTION 4: This is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were taken in a duly noticed open meeting of this Council and that all deliberations which resulted in formal action were taken in a meeting open to the public, in full compliance with all applicable legal requirements.

RECORD OF ORDINANCES

Ordinance No. 2022-81

Passed _____, 20____

SECTION 5: This Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Village of Mogadore and the inhabitants to establish the Village's annual appropriations and to set aside the necessary funds in order to ensure the timely performance of the Village operations and the timely payment of Village current expenses and obligations during the period January 1, 2022, through December 31, 2022, and provided this Ordinance 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 by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

President of Council

Date

Mayor

Date

Attest:

Clerk-Treasurer

EXHIBIT A - ORDINANCE NO. 2022-81
2022 ANNUAL APPROPRIATIONS ORDINANCE
AMENDMENT #4

That to provide for the current expenses and Capital Improvements of the Village of Mequon for the fiscal year ending December 31, 2022, the following sums be and they are hereby set aside and appropriated as follows:

<u>GENERAL FUND</u>			
Administrative (Mayor, Legislative, Solicitor, and Clerk-Treasurer)	Personal Service	\$120,182.00	
	Other	\$746,001.00	\$866,183.00
Mayor's Court	Personal Service	\$10,138.00	
	Other	\$8,700.00	\$18,838.00
Police/Law Enforcement	Personal Service	\$870,356.00	
	Other	\$423,744.00	\$1,294,100.00
Fire	Personal Service	\$528,808.00	
	Other	\$397,056.00	\$925,864.00
Service (Land and Buildings)	Personal Service	\$0.00	
	Other	\$95,400.00	\$95,400.00
	Transfers Out		\$920,100.00
TOTAL GENERAL FUND APPROPRIATIONS			\$4,120,485.00
<u>FIRE FUND</u>			
	Personal Service	\$1,000.00	
	Other	\$5,000.00	\$6,000.00
<u>FIRE/EMS FUND</u>			
	Personal Service	\$130,759.00	
	Other	\$84,000.00	\$214,759.00
<u>CEMETERY FUND</u>			
	Personal Service	\$22,570.00	
	Other	\$97,150.00	\$119,720.00
<u>STREETS CONSTRUCTION/MAINTENANCE</u>			
	Personal Service	\$270,877.00	
	Other	\$401,048.00	\$671,925.00
<u>STATE HIGHWAY</u>			
	Personal Service	\$0.00	
	Other	\$27,500.00	\$27,500.00
<u>PARKS & RECREATION</u>			
	Personal Service	\$79,656.00	
	Other	\$216,600.00	\$296,256.00
<u>COURT COMPUTERIZATION FUND</u>			
	Personal Service	\$0.00	
	Other	\$4,760.00	\$4,760.00
<u>COVID AID FISCAL RECOVERY</u>			
	Personal Service	\$0.00	
	Other	\$311,150.00	\$311,150.00
<u>SAFER GRANT FUND</u>			
	Personal Service	\$50,000.00	
	Other	\$0.00	\$50,000.00
<u>CDBG FUND</u>			
	Personal Service	\$0.00	
	Other	\$150,000.00	\$150,000.00
<u>WATER/SEWER MAIN PROJECT</u>			
	Personal Service	\$0.00	
	Other	\$2,467,150.00	\$2,467,150.00
<u>HERBERT/FENTON OPWC</u>			
	Personal Service	\$0.00	
	Other	\$991,300.00	\$991,300.00
<u>SUNRISE/WEST/PEARL OPWC</u>			
	Personal Service	\$0.00	
	Other	\$458,050.00	\$458,050.00
<u>MOGADORE ROAD RESURFACING</u>			
	Personal Service	\$0.00	
	Other	\$5,000.00	\$5,000.00
<u>GILCHRIST ROAD RESURFACING</u>			
	Personal Service	\$0.00	
	Other	\$539,000.00	\$539,000.00
<u>CDBG PICKLEBALL/BASKETBALL</u>			
	Personal Service	\$0.00	
	Other	\$212,000.00	\$212,000.00
<u>FIRE EQUIPMENT RESERVE</u>			
	Personal Service	\$63,321.00	
	Other	\$0.00	\$63,321.00
<u>POLICE PENSION FUND</u>			
	Personal Service	\$0.00	
	Other	\$25,000.00	\$25,000.00
<u>DEBT SERVICE FUND</u>			
	Personal Service	\$0.00	
	Other	\$65,500.00	\$65,500.00
GRAND TOTAL ALL APPROPRIATIONS FOR 2022			\$10,798,876.00

RECORD OF ORDINANCES

Resolution No. 2022-82

Passed _____, 20____

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR FUNDS FOR THE SAFE ROUTES TO SCHOOL PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects, (hereinafter "STRS Funds"), through the State of Ohio, Department of Transportation; and

WHEREAS, applicants can apply for STRS Funds and be selected for funding by the State of Ohio, Department of Transportation; and,

WHEREAS, the School Travel Plan, (hereinafter referred to as "the Project"), is an eligible activity eligible to receive federal transportation funding; and

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 Mayor is hereby authorized and directed to prepare and execute on behalf of the Village of Mogadore an application and all related paperwork for SRTS funds for the Project to submit same to the State of Ohio, Department of Transportation.

SECTION 2: The total cost of the project is estimated to be \$20,000.00 of which the Village of Mogadore, if awarded the STRS funds, agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

SECTION 3: Upon completion of the described Project, the Village of Mogadore shall: Provide completed School Travel Plan with adequate community endorsements.

SECTION 4: If the application is approved for the funding, the Mayor is hereby authorized to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the Project.

SECTION 5: 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.

RECORD OF ORDINANCES

Resolution No. 2022-83

Passed _____, 20____

SPONSOR: STREETS COMMITTEE

A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE OF MOGADORE TO PARTNER WITH SUMMIT COUNTY AND/OR THE CITY OF AKRON, PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Public Works Commission has funding available for public works improvements; and,

WHEREAS, the Village of Mogadore, as part of the application process for these funds, has identified the need for improvement for the design of the Herbert Street Extension and Meadowridge Road Construction Project; and,

WHEREAS, the Village of Mogadore has committed to fund its local share of costs associated with the improvement; and,

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and,

WHEREAS, the Village of Mogadore is planning to make capital improvements to the Herbert Street Extension and Meadowridge Road; and,

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community.

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 Mayor, Clerk-Treasurer, and Village Engineer are authorized to seek funding approval from the Ohio Public Works Commission for the Infrastructure Project, on the Herbert Street Extension and Meadowridge Road Construction Project. Said officials are authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 2: The Village of Mogadore will commit to provide its share of the local funding through general notes and bonds to construct the sewer improvement.

SECTION 3: The Mayor and/or Village Engineer are hereby authorized to apply and accept from OPWC the funds as described above.

RECORD OF ORDINANCES

Resolution No. 2022-83

Passed _____, 20__

SECTION 4: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 5: That, to the extent not already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

SECTION 6: That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7: 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 Village residents, to allow for the timely submission of the OPWC application within guidelines and requirements, to allow for the prompt studies and remediation efforts to begin when the weather will first allow, and to allow for the continued operations of the Village Administration and other departments and shall, therefore, take effect and be in force from and immediately after its passage

President of Council

Date

Mayor

Date

Attest:

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2022-84

Passed _____, 20____

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER AN AGREEMENT TO PURCHASE A NEW MEDICAL UNIT/AMBULANCE FOR USE BY THE FIRE DEPARTMENT/EMS, AND DECLARING AN EMERGENCY.

WHEREAS, Penn Care, Inc. is the owner of a new medical unit/ambulance, namely a Remounted Braun Liberty on the Ford E450 4x2; and,

WHEREAS, the vehicle is needed for use by the Fire Department/EMS and emergency medical purposes; and,

WHEREAS, the aforesaid vehicle and the cost proposal were selected from a State Term Schedule maintained by the State of Ohio Department of Administrative Services and will be purchased under the Cooperative Purchasing Program, which satisfies the requirements for competitive bidding under the Ohio Revised Code; and,

WHEREAS, the Village has established guidelines for the purchase of vehicles, and those requirements are met herein.

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

SECTION 1: The Mayor is hereby authorized, on behalf of the Village of Mogadore, to enter into an agreement with Penn Care, Inc. for the purchase of the subject vehicle, being a REMOUNTED Braun Liberty on the Ford E450 4x2 in an amount up to \$260,000.00.

SECTION 2: That it is in the best interest of the Village to purchase the subject vehicle.

SECTION 3: The fair market value of the vehicle that is the subject of this Resolution is approximately \$244,862.00.

SECTION 4: That the recitals set forth above are incorporated by reference herein.

SECTION 5: The Mayor, Clerk-Treasurer, and Village Fire Chief are each authorized and directed to sign and/or enter into any instruments of conveyance or other documents necessary to carry forth the provisions of this Resolution once the Purchase Agreement has been signed.

SECTION 6: That, to the extent not already done so, the funds required for the payment of the subject obligations incurred hereby are appropriated for the purposes described.

RECORD OF ORDINANCES

Ordinance No. 2022-85

Passed _____, 20____

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE ADOPTING THE AMENDED FULL-TIME FIREFIGHTER HANDBOOK, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Mogadore Fire Department desires to attract experienced full-time firefighters;

WHEREAS, the Fire Chief and Director of Public Service agrees that their having the discretion to allow skilled full-time firefighters to carryover their accumulated vacation time of up to three weeks or 144 hours from their prior political subdivision could be an important tool to assist the Village in attracting and retaining such skilled employees;

WHEREAS, this Council finds it to be in the best interests of the Village to provide its' Fire Chief and Director of Public Service the ability to retain skilled full-time firefighters; and

WHEREAS, the Full-Time Firefighter Handbook needs to be amended to provide the Fire Chief and Director of Public Service the discretion to allow newly hired full-time firefighters the ability to carryover up to 144 hours of vacation from his or her prior employment with a political subdivision.

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

SECTION 1: The Full-Time Firefighter Handbook, attached hereto and incorporated herein, is hereby adopted as amended and shall be effective December 1, 2022. The Fire Chief is hereby directed to pass-out new copies/replacement pages to members of that department.

SECTION 2: All other ordinances, resolutions, or parts of other ordinances and resolutions which may be in conflict with the provisions of this Ordinance are hereby declared null and void and are of no further force and effect.

SECTION 3: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

