

# Village of Mogadore

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## COUNCIL MEETING AGENDA

March 15, 2023

5:30 p.m.

1. Moment of Reflection – Mr. R. McDowall
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Police Department Awards
6. Short Recess
7. Minutes from February 15, 2023, Council meeting presented for changes, corrections, and adoption
8. Comments from the Audience on pending legislation
9. Committee Reports
10. Old Business – None.
11. New Business – None.

**Ordinance 2023-24**– 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, 2023, AND DECLARING AN EMERGENCY.

**Resolution 2023-25** - Mr. J. Tonsic - A RESOLUTION AWARDED THE BID FOR THE 2023 CHIP AND SEAL STREET REPAIRS PROJECT TO GEAUGA HIGHWAY COMPANY, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO ENTER INTO A CONSTRUCTION CONTRACT WITH GEAUGA HIGHWAY COMPANY TO PROVIDE LABOR AND MATERIALS FOR SAID PROJECT, AND DECLARING AN EMERGENCY.

**Resolution 2023-26** - Ms. B. Van Dike - A RESOLUTION ESTABLISHING RATES OF PAY FOR THE PART-TIME PARKS AND CEMETERY EMPLOYEES OF THE VILLAGE, AND DECLARING AN EMERGENCY.

12. Comments

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

13. Adjournment

RECORD OF ORDINANCES

Ordinance No. 2023-24

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, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, the Clerk-Treasurer has recommended that this Council amend the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2023; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to amend the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2023.

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

SECTION 1: This Council hereby amends the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2023, from the various funds of the Village, as follows:

<u>STREET CONSTRUCTION/MAINTENANCE</u>	
Other	\$87,000.00
 <u>WATER/SEWER MAIN PROJECT</u>	
Other	\$123,967.00

SECTION 2: With such amendments specified in Section 1 above, the total revised appropriations for the Village for the Fiscal Year ending December 31, 2023, is now contained in Exhibit A attached hereto and incorporated by reference herein.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed to effectuate the appropriations set forth herein.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings 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 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately appropriating said funds for the purpose of purchasing a street sweeper and undertaking the chip and seal program, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take



**EXHIBIT A - ORDINANCE NO. 2023-24**  
**2023 ANNUAL APPROPRIATIONS ORDINANCE**  
**AMENDMENT #1**

That to provide for the current expenses and Capital Improvements of the Village of Mogadore for the fiscal year ending December 31, 2023, 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	\$128,241.18	
	Other	\$628,034.09	\$756,275.27
Mayor's Court	Personal Service	\$10,356.08	
	Other	\$8,650.00	\$19,006.08
Police Law Enforcement	Personal Service	\$915,280.95	
	Other	\$509,711.68	\$1,424,992.63
Service (Land and Buildings) Personal Service	Personal Service	\$0.00	
	Other	\$88,100.00	\$88,100.00
	Transfers Out		\$2,200,100.00
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>			<b>\$4,488,473.98</b>
 <u>FIRE EMS FUND</u>			
	Personal Service	\$83,495.86	
	Other	\$87,500.00	\$170,995.86
 <u>FIRE FUND</u>			
	Personal Service	\$353,515.64	
	Other	\$327,913.16	\$681,428.80
 <u>SAFETY GRANT</u>			
	Personal Service	\$346,487.50	
	Other	\$114,201.20	\$460,688.70
 <u>CEMETERY FUND</u>			
	Personal Service	\$14,454.00	
	Other	\$90,650.00	\$105,104.00
 <u>STREETS CONSTRUCTION/MAINTENANCE</u>			
	Personal Service	\$277,674.69	
	Other	\$375,853.19	\$653,527.88
 <u>STATE HIGHWAY</u>			
	Personal Service	\$0.00	
	Other	\$32,000.00	\$32,000.00
 <u>PARKS &amp; RECREATION</u>			
	Personal Service	\$79,656.00	
	Other	\$184,100.00	\$263,756.00
 <u>COURT COMPUTERIZATION FUND</u>			
	Personal Service	\$0.00	
	Other	\$3,000.00	\$3,000.00
 <u>COVID AID FISCAL RECOVERY</u>			
	Personal Service	\$0.00	
	Other	\$370,500.00	\$370,500.00
 <u>WATER/SEWER MAIN PROJECT</u>			
	Personal Service	\$0.00	
	Other	\$1,440,567.70	\$1,440,567.70
 <u>FIRE EQUIPMENT RESERVE</u>			
	Personal Service	\$0.00	
	Other	\$180,000.00	\$180,000.00
 <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	\$65,200.00	\$65,200.00
 <b>GRAND TOTAL ALL APPROPRIATIONS FOR 2023</b>			 <b>\$8,940,242.92</b>

RECORD OF ORDINANCES

Resolution No. 2023-25

Passed \_\_\_\_\_, 20\_\_\_\_

SPONSOR: STREETS COMMITTEE

A RESOLUTION AWARDDING THE BID FOR THE 2023 CHIP AND SEAL STREET REPAIRS PROJECT TO GEAUGA HIGHWAY COMPANY, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO ENTER INTO A CONSTRUCTION CONTRACT WITH GEAUGA HIGHWAY COMPANY TO PROVIDE LABOR AND MATERIALS FOR SAID PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 14.03 of the Village's Charter provides that all purchases exceeding one-half (1/2) of the statutory threshold of \$50,000.00 shall be undertaken by advertising for and accepting sealed bids, except when five (5) members of this Council determine the purchase should proceed without such sealed bids due to an emergency; and

WHEREAS, in accordance with Section 14.03 of the Village's Charter, this Council previously adopted Resolution No. 2022.78 to authorize and direct the Clerk-Treasurer to advertise for bids for the 2023 Chip and Seal Street Repairs Project; and

WHEREAS, thereafter, the Clerk-Treasurer advertised for bids for the 2023 Chip and Seal Street Repairs Project and the received bids for the same; and

WHEREAS, upon review of the bids, the Village Engineer recommended that this Council award the bid for the 2023 Chip and Seal Street Repairs Project to Geauga Highway Company as the lowest responsive and responsible bidder in the amount of \$123,967.00; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to award the bid for the 2023 Chip and Seal Street Repairs Project to Geauga Highway Company and to authorize the Mayor and Clerk-Treasurer to enter into a construction contract for Geauga Highway Company to provide labor and materials for said project.

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

SECTION 1: This Council hereby awards the bid for the 2023 Chip and Seal Street Repairs Project to Geauga Highway Company as the lowest responsive and responsible bidder in the amount of \$123,967.00.

SECTION 2: The Mayor and Clerk-Treasurer are hereby authorized and directed to enter into a construction contract with Geauga Highway Company to provide labor and materials for the 2023 Chip and Seal Street Repairs Project.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed to refund all bonds or certified checks to the successful and unsuccessful bidders upon the execution of the aforementioned construction contract.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings 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 5: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of providing forenabling the 2023 Chip and Seal Street Repair Project to commence in a timely fashion, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

\_\_\_\_\_ Date  
President of Council

\_\_\_\_\_ Date  
Mayor

Attest:

\_\_\_\_\_  
Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-26

Passed \_\_\_\_\_, 20\_\_\_\_

SPONSOR: FINANCE COMMITTEE

A RESOLUTION ESTABLISHING RATES OF PAY FOR THE PART-TIME PARKS AND CEMETERY EMPLOYEES OF THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, this Council establishes the rates of pay for the various part-time employees of the Village, including the Part-Time Parks Maintenance Supervisor, Part-Time Parks Maintenance Assistant Supervisor, Part-Time Parks Maintenance Workers, Part-Time Parks Recreation Supervisor, Part-Time Parks Recreation Assistant Supervisor, Part-Time Parks Recreation Workers, and Part-Time Cemetery Maintenance Workers (collectively the "Part-Time Parks and Cemetery Employees"); and

WHEREAS, the Mayor has recommended to this Council that the rates of pay for the Part-Time Parks and Cemetery Employees be established as not to exceed Fifteen Dollars (\$15.00) per hour, payable bi-weekly, and that the precise amount of pay for the individuals filling those positions be further established by the Mayor; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to establish the rates of pay for the Part-Time Parks and Cemetery Employees as set forth above.

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

SECTION 1: The Part-Time Parks Maintenance Supervisor, Part-Time Parks Maintenance Assistant Supervisor, Part-Time Parks Maintenance Workers, Part-Time Parks Recreation Supervisor, Part-Time Parks Recreation Assistant Supervisor, Part-Time Parks Recreation Workers, and Part-Time Cemetery Maintenance Workers shall receive compensation for their services at a rate between the Ohio minimum wage and an amount not to exceed Fifteen Dollars (\$15.00) per hour, payable bi-weekly. The precise amount paid to the individuals filling these positions, within the range set forth in this Section, shall be further established by the Mayor.

SECTION 2: Any prior Resolutions or Ordinances adopted by this Council, or any provisions thereof, that are in conflict with Section 1 of this Resolution are hereby rescinded and repealed in their entirety.

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings 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 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately and appropriately compensating the Part-Time Parks and Cemetery Employees prior to commencement of hiring many of the individuals for those



positions for the Spring and Summer 2023 seasons, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

\_\_\_\_\_  
President of Council Date

\_\_\_\_\_  
Mayor Date

Attest:

\_\_\_\_\_  
Clerk-Treasurer