Village of Mogadore

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COUNCIL MEETING AGENDA

December 20, 2023

5:30 p.m.

1. Moment of Reflection – Mr. W. Bauer
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from the December 6, 2023, Council meeting presented for changes, corrections, and adoption
6. Comments from the Audience on the pending legislation
7. Committee Reports
8. Old Business – None.
9. New Business –

Ordinance 2023-91 – Ms. Van Dike – Finance Committee
AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

Ordinance 2023-92 – Ms. Van Dike – 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.

Resolution 2023-93 – Ms. Van Dike – Finance Committee
A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE FIRE FUND, STREET CONSTRUCTION AND MAINTENANCE FUND, AND PARK AND RECREATION FUND, AND DECLARING AN EMERGENCY.

Resolution 2023-94 – Ms. Van Dike – Finance Committee
A RESOLUTION AUTHORIZING AND ESTABLISHING THE SAFETY INTERVENTION GRANT FUND, AND DECLARING AN EMERGENCY.

Resolution 2023-95 – Ms. Van Dike – Finance Committee
A RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND TO THE SAFER GRANT FUND AND SAFETY INTERVENTION GRANT FUND, AND DECLARING AN EMERGENCY.

Ordinance 2023-96 – Ms. Van Dike – Finance Committee
AN ORDINANCE ESTABLISHING THE HOLIDAYS FOR ALL NON-BARGAINING EMPLOYEES OF THE VILLAGE FOR THE CALENDAR YEAR 2024, AND DECLARING AN EMERGENCY.

Resolution 2023-97 – Mr. Yoho – Mayor Rick
A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION FOR FULL-TIME PATROLMEN AND SERGEANTS EMPLOYED BY THE VILLAGE, FOR THE PERIOD OF JANUARY 1, 2024 TO DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Resolution 2023-98 – Ms. Van Dike – Finance Committee
A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF JASON D. DODSON AS LAW DIRECTOR OF THE VILLAGE, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ROETZEL & ANDRESS, LPA. TO PROVIDE LEGAL SERVICES FOR THE VILLAGE, AND DECLARING AN EMERGENCY.

Resolution 2023-99 – Ms. Van Dike – Finance Committee
A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF SCOTT K. VARNEY AS CLERK-TREASURER OF THE VILLAGE, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH VARNEY, FINK & ASSOCIATES, INC. TO PROVIDE ACCOUNTING SERVICES FOR THE VILLAGE, AND DECLARING AN EMERGENCY.

Resolution 2023-100 – Ms. Van Dike – Finance Committee
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-91 CONCERNING THE COMPENSATION AND BENEFITS FOR THE FULL-TIME ASSISTANT CLERK IN THE VILLAGE'S FINANCE OFFICE, AND DECLARING AN EMERGENCY.

Resolution 2023-101 – Ms. Van Dike – Finance Committee
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-86 CONCERNING THE COMPENSATION AND BENEFITS PROVIDED BY THE VILLAGE TO THE FIRE CHIEF, AND DECLARING AN EMERGENCY.

Resolution 2023-102 – Ms. Van Dike – Finance Committee
A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-88 CONCERNING THE COMPENSATION AND BENEFITS PROVIDED BY THE VILLAGE TO THE CHIEF OF POLICE, AND DECLARING AN EMERGENCY.

Resolution 2023-103 – Ms. Van Dike – Finance Committee
A RESOLUTION AMENDING RESOLUTION NO. 2023-11, INCLUDING EXHIBIT A THERETO, ENTITLED "WAGE AND BENEFIT PACKAGE FOR FULL-TIME EMPLOYEES OTHER THAN FULL-TIME POLICE DEPARTMENT AND FIRE DEPARTMENT EMPLOYEES," TO REVISE THE COMPENSATION AND HOLIDAY BENEFITS PROVIDED TO SUCH EMPLOYEES, AND DECLARING AN EMERGENCY.

Ordinance 2023-104 – Mr. Yoho – Safety Committee
AN ORDINANCE AMENDING ORDINANCE 2022-90, SECTION 1 TO INCREASE THE COMPENSATION FOR PART-TIME POLICE OFFICERS IN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

Resolution 2023-105 – Ms. Van Dike – Finance Committee

A RESOLUTION AMENDING THE FULL-TIME FIREFIGHTER HANDBOOK TO PROVIDE FOR INCREASES IN COMPENSATION AND AN ADJUSTMENT TO THE BENEFITS FOR FULL-TIME FIREFIGHTERS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

Resolution 2023-106 – Ms. Van Dike – Finance Committee

A RESOLUTION AMENDING THE PART-TIME FIREFIGHTER HANDBOOK TO PROVIDE FOR INCREASES IN COMPENSATION AND AN ADJUSTMENT TO THE BENEFITS FOR PART-TIME FIREFIGHTERS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

Resolution 2023-107 – Ms. Van Dike – Finance Committee

A RESOLUTION AMENDING RESOLUTION NO. 2022-94, SECTION 1 TO INCREASE THE COMPENSATION OF THE PART-TIME ZONING INSPECTOR, AND DECLARING AN EMERGENCY.

Resolution 2023-108 – Ms. Van Dike – Finance Committee

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2023-5 TO INCREASE THE COMPENSATION FOR THE MAYOR'S COURT MAGISTRATE, AND DECLARING AN EMERGENCY.

Resolution 2023-109 – Ms. Van Dike – Finance Committee

A RESOLUTION AMENDING RESOLUTION NO. 2023-6, SECTION 1 TO INCREASE THE COMPENSATION FOR THE PART-TIME POSITION OF CEMETERY SEXTON, AND DECLARING AN EMERGENCY.

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

11. Adjournment

COUNCIL MEETING
December 6, 2023

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

Mr. Tonsic 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.

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

Roll Call: Council Members Present: Mr. Yoho, Mr. McDowall, Ms.Van Dike, Mr. Raddish, Mr. Tonsic, and Ms. Miller were present. Mr. Bauer was excused.

Others Present: Mayor Rick, Council Clerk Rachel Osborne, Clerk-Treasurer Scott Varney, Assistant Law Director Natalie Rothenbuecher, and Village Engineer Matt Glass.

Motion by Ms.Van Dike second by Mr. Yoho the approval of the agenda as presented. Vote. Unanimous ayes. Motion carried.

Swearing in full-time Fire/Medics Nicholas Nash and Michael Englehart followed by a short recess.

Motion by Ms. Van Dike second by Ms. Miller to adopt the minutes from the November 15, 2023, Council meeting. Vote. Unanimous ayes. Motion carried.

COMMENTS FROM THE AUDIENCE ON PENDING LEGISLATION – Jon Mencer, 242 S Cleveland Avenue, stated his opinion on ordinance 2023-90 on cannabis that he is opposed to the legalization of marijuana.

COMMITTEE REPORTS –

UTILITIES – Mr. Bauer was not present.

SAFETY – Mr. Yoho has four pieces of legislation to read.

PARKS –Mr. McDowall has one piece of legislation to read.

PLANNING AND ZONING – Ms. Miller has one piece of legislation to read.

FINANCE/AUDIT – Ms. Van Dike has no report.

STREETS – Mr. Tonsic has no report.

Council President Mr. Raddish announced the December Work Session will be held next Wednesday, December 13, 2023, at 5:30 p.m. with all committees reporting.

OLD BUSINESS – None.

NEW BUSINESS –

Mr. Yoho presented Resolution 2023-**84** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE U.S. DEPARTMENT OF JUSTICE'S OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM GRANT IN THE AMOUNT OF $125,000 AND DECLARING AN EMERGENCY.

Mr. Yoho made a motion to suspend the rules requiring three readings; Ms.Vam Dike seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. Yoho to adopt Resolution 2023-84, a second was made by Mr. Tonsic.

Mayor Rick stated this grant will be used to hire a school resource officer.

Vote. Unanimous ayes. Motion carried.

Mr. Yoho presented Resolution 2023-**85** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT AWARD IN THE AMOUNT OF $40,000.00 FROM THE STATE OF OHIO BUREAU OF WORKERS' COMPENSATION SAFETY INTERVENTION PROGRAM, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. Yoho to adopt Resolution 2023-85, a second was made by Ms. Miller. Vote. Unanimous ayes. Motion carried.

Mr. Yoho presented Resolution 2023-**86** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO HIRE AN ADDITIONAL PATROLMAN IN THE MOGADORE POLICE DEPARTMENT, THEREBY INCREASING THE TOTAL NUMBER OF AUTHORIZED OFFICERS IN THE MOGADORE POLICE DEPARTMENT TO NINE OFFICERS, INCLUDING PATROLMEN, SERGEANTS, AND THE CHIEF OF POLICE, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. Yoho to adopt Resolution 2023-86, a second was made by Mr. Tonsic. Vote. Unanimous ayes. Motion carried.

Mr. Raddish presented Resolution 2023-**87** sponsored by Utilities Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE INTO AN AGREEMENT WITH BUCKEYE ENERGY BROKERS, INC. TO PROVIDE OPT-OUT ELECTRICITY AGGREGATION SERVICES FOR RESIDENTS AND BUSINESSES WITHIN THE VILLAGE AND DECLARING AN EMERGENCY.

Mr. Raddish made a motion to suspend the rules requiring three readings; Ms. Van Dike seconded the motion. Vote. Unanimous ayes. Motion carried.

A motion was made by Mr. Raddish to adopt Resolution 2023-87, a second was made by Mr. McDowall. Vote. Unanimous ayes. Motion carried.

Mr. McDowall presented Resolution 2023-**88** sponsored by Parks Committee as follows:

A RESOLUTION AUTHORIZING AND DIRECTING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR PHASE II OF THE LIONS PARK TRAIL IMPROVEMENTS, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. McDowall to adopt Resolution 2023-88, a second was made by Ms. Van Dike.

Mayor Rick stated this will complete the new walking trail down at the Park.

Vote. Unanimous ayes. Motion carried.

Mr. Yoho presented Resolution 2023-**89** sponsored by Safety Committee as follows:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION FOR CALENDAR YEAR 2024, AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. Yoho to adopt Resolution 2023-89, a second was made by Ms. Miller. Vote. Unanimous ayes. Motion carried.

Ms. Miller presented Ordinance 2023-**90** sponsored by Planning and Zoning Committee as follows:

AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION, OR SALE OF ADULT USE CANNABIS FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ALLOW THE VILLAGE TO REVIEW APPLICABLE STATE AND LOCAL LAWS, TO PLAN FOR REGULATIONS RELATING TO SUCH USES; AND DECLARING AN EMERGENCY.

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

A motion was made by Mr. McDowall to adopt Ordinance 2023-90, a second was made by Mr. Tonsic. Vote. Unanimous ayes. Motion carried.

COMMENTS from the Public: Carl Housley, 67 First Avenue, asked if the Village received reimbursement on the SAFER Grant.

Varney stated yes.

Housley referred back to the questions he received answers to regarding the fire department. Housley expressed his concerns he has on mutual aid calls and leaving the Village without coverage.

Mayor Rick stated mutual aid calls do not leave the Village without coverage, it might not be as fast, but there is coverage from the surrounding fire departments if needed.

Joe Henico, 3773 Argonne Street, mentioned block watch meetings that the police department would have at the Pry Center years ago and wanted to know if those meetings would start up again.

Mayor Rick stated he would ask Chief Higgins and get back to him.

Jon Mencer, 242 S Cleveland Avenue, reference resolution 2023-90. Mencer stated he heard on the news the tax revenue coming in from the cannabis collected, but very little of that money will come back to local municipalities.

COMMENTS from Council: Mr. Tonsic stated there is a fifth-grade concert at O.H. Somers at 6 PM today, and Christmas in the Village is this Saturday.

Mr. McDowall stated he will not be able to attend next week's work session.

COMMENTS from the Assistant Law Director: No Comments.

COMMENTS from the Village Engineer: No Comments.

COMMENTS from the Clerk-Treasurer: No Comments.

COMMENTS from the Mayor: Mayor Rick announced the agenda for Christmas in the Village this Saturday.

Meeting adjourned at 6:05 p.m.

Attest:

_____

Mayor Date

_____

Clerk-Treasurer

RECORD OF ORDINANCES

Ordinance No. 2023-91 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 3.10(A) of the Charter of the Village of Mogadore, this Council has the powers of the legislative body of a municipality, which includes the authority to establish appropriations for current expenses and other expenditures of the Village; and

WHEREAS, the Mayor and Clerk-Treasurer have proposed a budget for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024

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 adopt the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024.

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

SECTION 1: To provide for the current expenses and other expenditures of the said Village during the Fiscal Year ending December 31, 2024, the sums of which are attached hereto and made a part thereof as Exhibit A are hereby set aside and appropriated.

SECTION 2: The Clerk-Treasurer is hereby authorized and directed to effectuate the appropriations set forth herein.

SECTION 3: The Clerk-Treasurer is hereby authorized to draw warrants for payments from any of the appropriations upon receiving proper certificates and vouchers therefore, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

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 to establishing the Village's annual appropriations to set aside the necessary funds in order to ensure the timely performance of Village operations and the timely payment of Village current expenses and obligations during the period beginning January 1, 2024 through December 31, 2024, and, provided this Ordinance 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

RECORD OF ORDINANCES

Ordinance No. 2023-91 Passed _____, 20____

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

EXHIBIT A - ORDINANCE NO. 2024-91

2024 ANNUAL APPROPRIATIONS ORDINANCE
ORIGINAL

That to provide for the current expenses and Capital Improvements of the Village of Mogadore for the fiscal year ending December 31, 2024, the following sums be and they are hereby set aside and appropriated as follows:

GENERAL FUND			
Administrative (Mayor, Legislative, Solicitor, and Clerk-Treasurer)	Personal Service	$140,387.00	
	Other	$695,189.00	$835,576.00
Mayor's Court	Personal Service	$10,792.00	
	Other	$8,650.00	$19,442.00
Police Law Enforcement	Personal Service	$1,065,599.00	
	Other	$533,751.00	$1,599,350.00
Service (Land and Buildings) Personal Service	Personal Service	$0.00	
	Other	$116,900.00	$116,900.00
	Transfers Out		$2,372,000.00
TOTAL GENERAL FUND APPROPRIATIONS			**$4,943,268.00**
FIRE EMS FUND			
	Personal Service	$0.00	
	Other	$37,500.00	$37,500.00
FIRE FUND			
	Personal Service	$497,778.00	
	Other	$437,050.00	$934,828.00
SAFETY GRANT			
	Personal Service	$319,956.00	
	Other	$90,000.00	$409,956.00
CEMETERY FUND			
	Personal Service	$12,145.00	
	Other	$127,800.00	$139,945.00
STREETS CONSTRUCTION/MAINTENANCE			
	Personal Service	$321,540.00	
	Other	$591,840.00	$913,380.00
STATE HIGHWAY			
	Personal Service	$0.00	
	Other	$10,550.00	$10,550.00
PARKS & RECREATION			
	Personal Service	$98,128.00	
	Other	$470,600.00	$568,728.00
COURT COMPUTERIZATION FUND			
	Personal Service	$0.00	
	Other	$3,000.00	$3,000.00
COVID AID FISCAL RECOVERY			
	Personal Service	$0.00	
	Other	$25,750.00	$25,750.00
WATER/SEWER MAIN PROJECT			
	Personal Service	$0.00	
	Other	$1,152,000.00	$1,152,000.00
POLICE PENSION FUND			
	Personal Service	$0.00	
	Other	50,000.00	$50,000.00
DEBT SERVICE FUND			
	Personal Service	$0.00	
	Other	$66,000.00	$66,000.00
GRAND TOTAL ALL APPROPRIATIONS FOR 2024			**$9,254,905.00**

RECORD OF ORDINANCES

Ordinance No. 2023-92 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:

FIRE FUND		
	Other	$5,000.00
SAFETY INTERVENTION GRANT FUND		
	Other	$57,093.56
CDBG FUND		
	Other	$71,304.65

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 to provide for the orderly

RECORD OF ORDINANCES

Ordinance No. 2023-92 Passed _____, 20____

operation of the Village and the payment of the Village's immediate obligations, 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

EXHIBIT A - ORDINANCE NO. 2023-**92**

2023 ANNUAL APPROPRIATIONS ORDINANCE
AMENDMENT #6

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:

GENERAL FUND			
Administrative (Mayor, Legislative, Solicitor, and Clerk-Treasurer)	Personal Service	$128,741.18	
	Other	$16,000.00	$144,741.18
Mayor's Court	Personal Service	$11,556.08	
	Other	$8,650.00	$20,206.08
Police Law Enforcement	Personal Service	$915,280.95	
	Other	$549,511.68	$1,464,792.63
Service (Land and Buildings) Personal Service	Personal Service	$0.00	
	Other	$139,600.00	$139,600.00
	Transfers Out		$2,200,100.00
TOTAL GENERAL FUND APPROPRIATIONS			**$3,969,439.89**
FIRE EMS FUND			
	Personal Service	$83,495.86	
	Other	$92,500.00	$175,995.86
FIRE FUND			
	Personal Service	$475,015.64	
	Other	$337,913.16	$812,928.80
K-9 DONATION FUND			
	Personal Service	$0.00	
	Other	$5,000.00	$5,000.00
SAFETY INTERVENTION GRANT FUND			
	Personal Service	$0.00	
	Other	$57,093.56	$57,093.56
SAFETY GRANT			
	Personal Service	$270,183.50	
	Other	$54,201.20	$324,384.70
CEMETERY FUND			
	Personal Service	$14,454.00	
	Other	$90,650.00	$105,104.00
STREETS CONSTRUCTION/MAINTENANCE			
	Personal Service	$312,674.69	
	Other	$391,553.19	$704,227.88
STATE HIGHWAY			
	Personal Service	$0.00	
	Other	$32,000.00	$32,000.00
PARKS & RECREATION			
	Personal Service	$87,656.00	
	Other	$375,116.81	$462,772.81
COURT COMPUTERIZATION FUND			
	Personal Service	$0.00	
	Other	$3,000.00	$3,000.00
CDBG			
	Personal Service	$0.00	
	Other	$71,304.65	$71,304.65
COVID AID FISCAL RECOVERY			
	Personal Service	$0.00	
	Other	$371,298.63	$371,298.63
AMBULANCE RETENTION GRANT			
	Personal Service	$0.00	
	Other	$20,000.00	$20,000.00
WATER/SEWER MAIN PROJECT			
	Personal Service	$0.00	
	Other	$1,902,786.70	$1,902,786.70
FIRE EQUIPMENT RESERVE			
	Personal Service	$0.00	
	Other	$180,000.00	$180,000.00
POLICE PENSION FUND			
	Personal Service	$0.00	
	Other	25,000.00	$25,000.00
DEBT SERVICE FUND			
	Personal Service	$0.00	
	Other	$65,200.00	$65,200.00
SUNRISE WEST PEARL OPWC			
	Other	$889,373.98	$889,373.98
FENTON AVE & DICK STREET OPWC			
	Other	$200,000.00	$200,000.00
GRAND TOTAL ALL APPROPRIATIONS FOR 2023			**$10,376,911.46**

RECORD OF ORDINANCES

Resolution No. 2023-93 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE FIRE FUND, STREET CONSTRUCTION AND MAINTENANCE FUND, AND PARK AND RECREATION FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Clerk-Treasurer have recommended that this Council authorize the transfer of funds from the General Fund to the Fire Fund, Street Construction and Maintenance Fund, and Park and Recreation Fund, as set forth herein; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to authorize the transfer of funds from the General Fund to the Fire Fund, Street Construction and Maintenance Fund, and Park and Recreation Fund, as set forth herein.

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 approves the transfer of funds from the General Fund to the Fire Fund, Street Construction and Maintenance Fund, and Park and Recreation Fund, as follows:

From:	General Fund	$335,000.00
To:	Fire Fund	$200,000.00
	Debt Service Fund	$ 75,000.00
	Fire Capital Equipment Reserve	$ 60,000.00

SECTION 2: The Clerk-Treasurer is hereby authorized and directed to effectuate the transfer of funds set forth in Section 1.

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 ensuring the current and other financial obligations of the Village of Mogadore are timely met, 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.

RECORD OF ORDINANCES

Resolution No. 2023-93 Passed _____, 20____

_____
President of Council Date

_____
Mayor Date

Attest:

_____
Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-94 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING AND ESTABLISHING THE SAFETY INTERVENTION GRANT FUND, AND DECLARING AN EMERGENCY.

WHEREAS, Section 5705.09 of the Ohio Revised Code directs the Village to establish a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

WHEREAS, the Village desires to authorize and establish the Safety Intervention Grant Fund to account for grant monies received from the State of Ohio Safety Intervention Grant Program that will be used by the Village pursuant to the terms of said grant; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to authorize and establish the Safety Intervention Grant Fund for the reasons 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: In accordance with Section 5705.09 of the Ohio Revised Code, the Village Council hereby directs the Clerk-Treasurer to establish the Safety Intervention Grant Fund so as to allow for the accounting of money from the State of Ohio Safety Intervention Grant Program.

SECTION 2: All monies collected from the State of Ohio Safety Intervention Grant Program shall be placed in the Safety Intervention Grant Fund, which shall be used solely for purposes authorized by the State of Ohio Safety Intervention Grant Program.

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 authorizing the establishment of the aforementioned fund so that the aforementioned grant funds may be received and spent by the Village as expeditiously as possible, 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.

RECORD OF ORDINANCES

Resolution No. 2023-94 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

_____

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-95 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND TO THE SAFER GRANT FUND AND SAFETY INTERVENTION GRANT FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Clerk-Treasurer have recommended that this Council authorize the advance of funds from the General Fund to the Safer Grant Fund and the Safety Intervention Grant Fund until such time as the reimbursements of grant funds are received to replenish the same, as set forth herein; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to authorize the transfer of funds from the General Fund to the Safer Grant Fund and the Safety Intervention Grant Fund, as set forth herein.

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 approves the advance of funds from the General Fund to the Safer Grant Fund and the Safety Intervention Grant Fund until such time as reimbursement funds are received to replenish the same, at which time the General Fund will be repaid the money, as follows:

From:	General Fund	$82,000.00
To:	Safer Grant Fund	$42,000.00
	Safety Intervention Grant Fund	$40,000.00

SECTION 2: The Clerk-Treasurer is hereby authorized and directed to effectuate the transfer of funds set forth in Section 1.

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 ensuring the current and other financial obligations of the Village of Mogadore are timely met, 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.

RECORD OF ORDINANCES

Resolution No. 2023-95 Passed _____, 20____

_____
President of Council Date

_____
Mayor Date

Attest:

_____
Clerk-Treasurer

RECORD OF ORDINANCES

Ordinance No. 2023-96 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

AN ORDINANCE ESTABLISHING THE HOLIDAYS FOR ALL NON-BARGAINING EMPLOYEES OF THE VILLAGE FOR THE CALENDAR YEAR 2024, AND DECLARING AN EMERGENCY.

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 holidays for all non-bargaining employees of the Village for the calendar year 2024.

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 establishes the following holidays for all non-bargaining employees of the Village for calendar year 2024:

January 2, 2024	New Year's Day
January 15, 2024	Martin Luther King Day
May 27, 2024	Memorial Day
June 19, 2024	Juneteenth
July 4, 2024	Independence Day
September 2, 2024	Labor Day
November 28, 2024	Thanksgiving Holiday
November 29, 2024	Thanksgiving Holiday
December 24, 2024	Christmas Eve
December 25, 2024	Christmas Day

SECTION 2: All full-time non-bargaining employees shall receive pay for holidays worked based on prior legislation adopted by this Council.

SECTION 3: All part-time non-bargaining employees shall receive pay for hours worked on any holiday set forth in Section 1 at a rate of two (2) times the employee's regular rate of pay, provided, however, that such holiday pay shall be paid for hours actually worked on the actual holiday rather than upon the day in which the holiday is observed.

SECTION 4: All other ordinances, resolutions, or parts of other ordinances or 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.

RECORD OF ORDINANCES

Ordinance No. 2023-96 Passed _____, 20____

SECTION 5: 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 6: 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 establishing the holidays of the Village in a timely fashion, and, provided this Ordinance 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

RECORD OF ORDINANCES

Resolution No. 2023-97 Passed _____, 20____

SPONSOR: MAYOR RICK

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION FOR FULL-TIME PATROLMEN AND SERGEANTS EMPLOYED BY THE VILLAGE, FOR THE PERIOD OF JANUARY 1, 2024 TO DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor, Law-Director, Clerk-Treasurer and Chief of Police have reached a tentative agreement with the Ohio Patrolmen's Benevolent Association ("OPBA") for the terms and conditions of a collective bargaining agreement ("CBA") for the full-time patrolmen and sergeants employed by the Village, for the period of January 1, 2024 to December 31, 2026, subject to the approval of the OPBA bargaining unit and this Council;

WHEREAS, the OPBA bargaining unit comprised of the patrolmen and sergeants employed by the Village has voted to approve the CBA; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to approve the CBA with the OPBA and to authorize the Mayor to execute said CBA.

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 CBA with OPBA is hereby approved, and the Mayor is hereby authorized to execute the CBA with the OPBA.

SECTION 2: 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 3: 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 approving the CBA prior to the commencement of the term of the same, 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.

RECORD OF ORDINANCES

Resolution No. 2023-97 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

_____

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-98 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF JASON D. DODSON AS LAW DIRECTOR OF THE VILLAGE, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ROETZEL & ANDRESS, LPA. TO PROVIDE LEGAL SERVICES FOR THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 8.01 of the Village's Charter, the Law Director shall be an attorney-at-law, in good standing and admitted to practice in the State of Ohio, who shall be appointed by the Mayor and confirmed with the affirmative vote of at least five (5) members of this Council to a term of no more than two (2) years; and

WHEREAS, the Mayor has recommended the re-appointment of Jason D. Dodson as Law Director for the Village for a two-year term commencing January 1, 2024 and continuing until December 31, 2025; and

WHEREAS, the Mayor has further proposed entering into an agreement with the firm of Roetzel & Andress, LPA for the provision of legal services for the aforementioned term, a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to confirm the re-appointment of Jason D. Dodson as Law Director for the Village and to authorize the Mayor to execute the aforementioned agreement for legal services.

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

SECTION 1: The re-appointment of Jason D. Dodson as Law Director of the Village of Mogadore effective for a two-year term commencing January 1, 2024, and continuing until December 31, 2025.

SECTION 2: The Mayor is hereby authorized and directed to enter into an agreement with the law firm of Roetzel & Andress, LPA, a copy of which is attached hereto as Exhibit A, to provide legal services to the Village for the period of January 1, 2024, until December 31, 2025 in accordance with the fees, scope of services, and billing rate contained in the agreement.

SECTION 3: The Law Director shall be paid compensation as provided in the agreement attached hereto as Exhibit "A."

SECTION 4: All prior resolutions and ordinances that relate to or in any way conflict with this measure are hereby repealed and rescinded.

SECTION 5: 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 virtual, open meeting of this Council

RECORD OF ORDINANCES

Resolution No. 2023-98 Passed _____, 20____

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 6: 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 authorizing the re-appoint of the Law Director before the expiration of the current term, 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

ROETZEL
ROETZEL & ANDRESS, A LEGAL PROFESSIONAL ASSOCIATION

222 South Main Street
4th Floor
Akron, OH 44308
DIRECT DIAL 330.849.6631
PHONE 330.376.2700 FAX 330.376.4577
jdodson@ralaw.com

WWW.RALAW.COM

December 10, 2023

VIA E-MAIL ONLY

Mayor Michael A. Rick
Village of Mogadore
135 S. Cleveland Ave.
Mogadore, OH 44260

Re: Continued Representation of the Village as Law Director

Dear Mayor Rick:

I am pleased to present this engagement letter to you, on behalf of the Village of Mogadore ("Village") for Roetzel and Andress, LPA ("Roetzel") to continue to furnish legal services and counsel to the Village as Law Director. Such legal services include, but are not limited to, providing advice and counsel to the Mayor, Council and other officials and employees of the Village; attendance at Village Council meetings and other Village meetings at the discretion of the Village; drafting and reviewing legislation presented to Village Council; preparing and reviewing contracts wherein the Village is a party; representing the Village on employment and labor matters; representing the Village on real estate, zoning, planning and land-use matters; representing the Village on matters involving litigation; and representing the Village on other legal matters at the discretion of the Village.

Our current engagement for these services expires December 31, 2023. This engagement letter will continue our services, commencing upon January 1, 2024, and continuing until December 31, 2025, unless continued or terminated prior to that time by the Village.

Legal Fees and Invoices

This matter involves difficult issues which will require a high degree of skill. Fees for our services will be based on the actual time expended by each attorney, legal assistant, or other support personnel working on your matter multiplied by each person's respective hourly billing rate in effect at the time. Fractions of hours are computed in periods of not less than one-tenth (1/10) of an hour. For this matter, we will charge an hourly rate of $165.00 for services rendered under this engagement to the Village. Hourly rates are subject to change from time to time. Please note that for some matters, including specialty litigation and municipal financing, rates for the

attorneys involved may be higher than the amount stated in this paragraph. In such event, we will propose at the time a separate engagement setting out such financial terms.

Bills for our services and disbursements will be sent on a monthly basis. Payment is due upon receipt of each bill. Interest at the rate of 1½% per month will be charged on any invoice outstanding over 45 days. In addition, we reserve the right to discontinue our representation in the event monthly billings are not paid within 30 days of presentation to you.

We will not charge you for routine costs and expenses such as copying charges, facsimile charges, travel mileage, parking, etc. In the event we incur non-routine costs and expenses such as filing fees, airline tickets, lodging, etc., then we will invoice those costs back to you, if needed. While we will pay for many of these non-routine costs incurred in your matter and bill you, our firm policy is that we cannot pay for costs of $1,500.00 or above. Invoices for costs of $1,500.00 or more will be forwarded to you for direct payment.

It is difficult to precisely anticipate the amount of our time that will be required for this engagement and the amount of fees and disbursements that will be incurred. At any time during the course of our engagement, we welcome the opportunity to discuss with you the fees and expenses incurred or to be incurred and will try to minimize such amounts. Sometimes this will require the reassessment of your strategic goals and tactical methods. We are always prepared to reevaluate approaches, whether it be for cost reasons or otherwise. If you have any questions at any time about our bill or our services, please contact me. Typically, questions are easily resolved.

Additional Terms of Engagement

Either of us may terminate our engagement at any time for any reason by written notice, subject on our part to applicable rules of professional conduct. In the event the engagement is terminated, we will take such steps as are reasonably practicable to protect your interests. Unless previously terminated, our representation will terminate upon our sending you our final statement for services rendered. Following such termination, any otherwise non-public information you have supplied to us which is retained by us will be kept confidential in accordance with applicable rules of professional conduct. At your request, your papers and property will be returned to you. Our own files, including lawyer work product, pertaining to the matter will be retained by the firm. All such documents retained by the firm will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of storage expenses, we reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us within a reasonable time after the termination of the engagement.

Our firm maintains a file retention policy. If at the conclusion of this representation you desire to have the file rather than having it go to storage, please affirmatively notify us in writing of that choice at the time you execute the engagement letter or at the time that this matter is closed. At the closing of this matter, the file will be sent to storage and kept for a period consistent with the Roetzel & Andress file retention policy and thereafter it will be destroyed.

As a client, non-public personal information you provide us is kept confidential and protected from disclosure without your permission under the doctrine of attorney/client privilege, which is a stringent professional standard. Under this doctrine, we have an ethical and legal obligation not to disclose, without your permission or as may be required by law, any personal non-public information you provide us. Disclosures which may be permitted, for instance, may include providing information to persons who need that information to assist us in providing services to you and utilizing outside document reproduction services. In all such situations, we stress the confidential nature of the information.

Agreement and Execution

Should this engagement letter be acceptable to you, please sign a copy of this letter and return it to my attention.

Thank you for the opportunity to provide legal services to the Village, and I look forward to working with you on this matter. If you should have any questions regarding this engagement letter, please do not hesitate to contact me.

Sincerely,
ROETZEL & ANDRESS, LPA



Jason Dodson

The foregoing proposal for legal services is agreed to as of the date set forth below:

Village of Mogadore, Ohio

By: _____
Name: _____
Title: _____

Date: _____

RECORD OF ORDINANCES

Resolution No. 2023-99 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF SCOTT K. VARNEY AS CLERK-TREASURER OF THE VILLAGE, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH VARNEY, FINK & ASSOCIATES, INC. TO PROVIDE ACCOUNTING SERVICES FOR THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 5.01 of the Village's Charter, the Clerk-Treasurer shall have a bachelor's degree or four years of experience in accounting and finance, shall be appointed by the Mayor and confirmed with the affirmative vote of at least five (5) members of this Council; and

WHEREAS, the Mayor has recommended the re-appointment of Scott K. Varney as Clerk-Treasurer for the Village for a one-year term commencing January 1, 2024, and continuing until December 31, 2024; and

WHEREAS, the Mayor has further proposed entering into an agreement with the firm of Varney, Fink & Associates, Inc. for the provision of accounting services for the aforementioned term, a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to confirm the re-appointment of Scott K. Varney as Clerk-Treasurer for the Village and to authorize the Mayor to execute the aforementioned agreement for accounting services.

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

SECTION 1: The re-appointment of Scott K. Varney as Clerk-Treasurer of the Village of Mogadore effective for a one-year term commencing January 1, 2024, and continuing until December 31, 2024.

SECTION 2: The Mayor is hereby authorized and directed to enter into an agreement with the firm of Varney, Fink & Associates, Inc., a copy of which is attached hereto as Exhibit A, to provide accounting services to the Village for the period of January 1, 2024, until December 31, 2024, in accordance with the fees, scope of services, and billing rate contained in the agreement.

SECTION 3: The Clerk-Treasurer shall be paid compensation as provided in the agreement attached hereto as Exhibit "A."

SECTION 4: All prior resolutions and ordinances that relate to or in any way conflict with this measure are hereby repealed and rescinded.

SECTION 5: 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 virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public,

RECORD OF ORDINANCES

Resolution No. 2023-99 Passed _____, 20____

in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: 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 authorizing the re-appoint of the Clerk-Treasurer before the expiration of the current term, 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

VARNEY, FINK & ASSOCIATES, INC.
465 College Street
Wadsworth, Ohio 44281
330.336.1706 Fax 330.334.5118

ACCOUNTING SERVICES AGREEMENT

THIS ACCOUNTING SERVICES AGREEMENT (the "Agreement") is made and entered into this day 1st of January 2024, by and between Varney, Fink & Associates, Inc. of Wadsworth, OH, (the "Firm") and the Village of Mogadore (the "Village).

RECITALS

WHEREAS, the Village desires to obtain certain accounting services from the Firm;

A. AND WHEREAS the Village agrees to engage the Firm as an independent contractor to perform such Services and the Firm hereby agrees to provide such services to the Village.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. SERVICES

The Firm hereby agrees to provide services to the Village (the "Services"), as specified in Attachment A.

The Firm shall conduct the Services in accordance with specifications set by the Village and the Firm shall at all times observe and comply with all federal and state laws or regulations applicable to this Agreement.

2. STANDARD OF PERFORMANCE

The Firm hereby agrees that it shall follow the highest professional standards in performing all Services to be provided under this Agreement.

3. NECESSARY INFORMATION & MATERIALS

The Village will be solely responsible to supply the Firm all information, materials, data, and documents necessary to perform the Services agreed under this Agreement. The Village acknowledges and agrees that the accuracy of financial information supplied to the Firm is the sole responsibility of the Village.

4. TERM

This Agreement is effective on the date written above and shall expire on December 31, 2024, unless mutually extended by both parties.

5. INDEPENDENT CONTRACTOR

The Firm shall provide the Services as an independent contractor and the Film shall not act as an employee, agent, or broker of the Village. As an independent contractor, The Firm will be solely responsible for paying any and all taxes levied by applicable laws on its compensation. The Firm understands that the Village will not withhold any amounts for payment of any taxes from the Firm's compensation.

6. PAYMENT

During the term of this Agreement, the Village shall pay the Firm for its services as follows:

a. For services specified in Attachment A, Scope of Work, the Firm shall receive compensation of $1,733.67 per week.
b. The Firm shall receive compensation at our standard hourly rate for services not identified in Attachment A.

Principal	$100.00 per hour
Senior	$90.00 per hour
Staff	$75.00 per hour

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

7. EXPENSES

The client agrees to reimburse any pre-approved out-of-pocket expenses incurred by the Firm in connection with the Services including, but not limited to, travel expenses, required continuing education, etc.

8. CONFIDENTIALITY

The Firm in the course of performing the Services hereunder, may gain access to certain confidential or proprietary information of the Village. Such "Confidential Information" shall include all information concerning the business, affairs, technology, customers, end-users, financial affairs, accounting, statistical data belonging to the Village, and any data, documents, discussion, or other information developed by the Firm hereunder and any other proprietary and trade secret information of the Village whether in oral, graphic, written, electronic or machine-readable form. The Firm agrees to hold all such Confidential Information of the Village in strict confidence and shall not, without the express prior written permission of the Village, (a) disclose such Confidential Information to third parties; or (b) use such Confidential Information for any purposes whatsoever, other than the performance of its obligations hereunder. The obligations under this Section shall survive the termination or expiration of this Agreement.

9. TERMINATION

(a) Either party may terminate this Agreement for convenience by providing thirty (30) days written notice ("Termination Notice") to the other party.

(b) If a party violates its obligations to be performed under this Agreement, the other party may terminate the Agreement by sending a thirty (30) days notice in writing. Upon receiving such notice, the defaulting party shall have thirty (30) days from the date of such notice to cure any such default. If the default is not cured within the required thirty (30) day period, the party providing notice shall have the right to terminate the Agreement.

10. ASSIGNMENT

The Firm shall not assign any of their rights under this Agreement, or delegate the performance of any of the obligations or duties hereunder, without the prior written consent of the Village and any attempt by the Firm to so assign, transfer, or subcontract any rights, duties, or obligations arising hereunder shall be void and of no effect.

11. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand during receiving party's regular business hours or by facsimile before or during receiving party's regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid, to the addresses heretofore below, or to such other addresses as the parties may, from time to time, designate in writing pursuant to the provisions of this section.

12. GOVERNING LAW

This Agreement is to be construed in accordance with and governed by the internal laws of the State of Ohio, USA.

13. SEVERABILITY

If any provision of this Agreement shall be held to be illegal, invalid or unenforceable under present or future laws, such provisions shall be fully severable, this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and, the remaining provisions of this Agreement shall remain in full force and effect.

14. LIMITATION OF LIABILITY

IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL OR EXEMPLARY DAMAGES,

INCLUDING WITHOUT LIMITATION, BUSINESS INTERRUPTION, LOSS OF OR UNAUTHORIZED ACCESS TO INFORMATION, DAMAGES FOR LOSS OF PROFITS, INCURRED BY THE OTHER PARTY ARISING OUT OF THE SERVICES PROVIDED UNDER THIS AGREEMENT, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT WILL NEITHER PARTY'S LIABILITY ON ANY CLAIM, LOSS OR LIABILITY ARISING OUT OF OR CONNECTED WITH THIS AGREEMENT SHALL EXCEED THE AMOUNTS PAID TO THE FIRM DURING THE 3 MONTHS PERIOD IMMEDIATELY PRECEDING THE EVENT GIVING RISE TO SUCH CLAIM OR ACTION BY THE VILLAGE.

15. INDEMNIFICATION

Each party shall at its own expense indemnify and hold harmless, and at the other party's request defend such party its affiliates, subsidiaries, successors and assigns officers, directors, employees, sublicenses, and agents from and against any and all claims, losses, liabilities, damages, demand, settlements, loss, expenses and costs (including attorneys' fees and court costs) which arise directly or indirectly out of or relate to (a) any breach of this Agreement, or (b) the gross negligence or willful misconduct of a party's employees or agents;

16. ENTIRE AGREEMENT; AMENDMENT:

This Agreement is the final, complete and exclusive agreement of the parties with respect to the subject matter hereof and supersedes and merges all prior or contemporaneous representations, discussions, proposals, negotiations, conditions, communications and agreements, whether written or oral, between the parties relating to the subject matter hereof and all past courses of dealing or industry custom. No modification of or amendment to this Agreement shall be effective unless in writing and signed by each of the parties.

17. WAIVER

The waiver by either party of a breach of or a default under any provision of this Agreement shall not be effective unless in writing and shall not be construed as a waiver of any subsequent breach of or default under the same or any other provision of this Agreement, nor shall any delay or omission on the part of either party to exercise or avail itself of any right or remedy that it has or may have hereunder operate as a waiver of any right or remedy.

18. CAPTIONS

The headings used in this Agreement are for convenience only and shall not be used to limit or construe the contents of any of the sections of this Agreement.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date first set forth above.

_____ _____

Signature Date

_____

Title

The FIRM

_____ _____

Signature Date

_____

Title

This agreement is to be construed in accordance with governed by the internal laws of the State of Ohio, USA.

Attachment A

Scope of Work

Accounting Services

The Village of Mogadore

Payroll — Process bi-weekly payroll and prepare required filings.

Receipts — Record receipts.

Payables — Approve purchase orders and process bills for payment.

Financials — Prepare monthly and annual financial reports.

Bank Reconciliations — To be performed monthly for all bank accounts.

Human Resources — Employee files and payroll issues will be maintained and addressed. Does not include hiring and termination of Village employees.

Council, and Work Session Meetings — Firm personnel will participate in all regular and special council meetings, and work sessions.

Budget — Firm personnel will work with department heads the Mayor and the finance committee to develop an annual budget.

5 Year Forecast — Firm personnel will work with Village personnel and Council to develop a plan for future operations.

Debt Issuances — Firm personnel will prepare financial information as requested. If meetings are necessary, the Firm will participate.

Audits — Firm personnel will prepare necessary financial reports, supporting documentation and work with auditors.

Income Tax Administrator — Firm personnel will perform Tax Administrator duties. This agreement anticipates one (1) Board of Review meeting per month. Additional meetings will be billed at our standard hourly rate. Examinations if necessary of employers or individual tax payer records will be billed at our standard hourly rates.

Insurance — Firm personnel will work on obtaining appropriate coverage for both health and liability insurance coverage.

Legal Proceedings — All meetings and court appearances will be billed at our standard hourly rate plus travel expenses at the Village's standard reimbursement rate.

The Firm anticipates continued cooperation from the office personal. Should Village staffing or job duties be altered, this agreement will be modified as necessary.

Firm personnel will perform certain duties from its office located at 121 College Street, Wadsworth, Ohio, 44281 when duties permit and will not always perform the duties at the Village.

RECORD OF ORDINANCES

Resolution No. 2023-100 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-91 CONCERNING THE COMPENSATION AND BENEFITS FOR THE FULL-TIME ASSISTANT CLERK IN THE VILLAGE'S FINANCE OFFICE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the Assistant Clerk in the Village's Finance Office; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Assistant Clerk in the Village's Finance Office.

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

SECTION 1: That Section 1 of Resolution No. 2022-91 is hereby amended to state as follows:

> The Assistant Clerk in the Finance Office shall be compensated at an annual salary of $41,600.00 which shall be payable bi-weekly.

SECTION 2: The employment benefits to be provided to the Assistant Clerk in the Finance Office shall be the same as those provided to other full-time employees of the Village other than the full-time Police Department and Fire Department employees, with the exception of the uniform allowance.

SECTION 3: This Resolution shall be effective as of December 30, 2023.

SECTION 4: 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 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 immediately establishing the pay for the Assistant Clerk in the Finance Office prior to the effective date, 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.

RECORD OF ORDINANCES

Resolution No. 2023-100 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

_____

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-101 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-86 CONCERNING THE COMPENSATION AND BENEFITS PROVIDED BY THE VILLAGE TO THE FIRE CHIEF, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the Fire Chief; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Fire Chief.

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

SECTION 1: That Section 1 of Resolution 2022-86 shall be amended as follows:

The compensation for the position of full-time Fire Chief shall be $89,164.21 annually, which shall be payable bi-weekly. In addition, the Fire Chief shall receive an annual clothing and equipment allowance of $1,500.00.

SECTION 2: The employment benefits to be provided to the full-time Fire Chief shall be the same as those provided to other full-time, non-bargaining unit employees of the Village.

SECTION 3: This Resolution shall be effective as of December 30, 2023.

SECTION 4: 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 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 immediately establishing the pay for the Fire Chief prior to the effective date, 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.

RECORD OF ORDINANCES

Resolution No. 2023-101 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

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Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-102 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2022-88 CONCERNING THE COMPENSATION AND BENEFITS PROVIDED BY THE VILLAGE TO THE CHIEF OF POLICE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the Chief of Police; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Chief of Police.

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

SECTION 1: That Section 1 of Resolution 2022-88 shall be amended as follows:

The compensation for the position of full-time Chief of Police shall be $89,164.21 annually, which shall be payable bi-weekly. In addition, the Fire Chief shall receive an annual clothing and equipment allowance of $1,500.00.

SECTION 2: The employment benefits to be provided to the full-time Police Chief shall be the same as those provided to full-time patrolmen and sergeants covered by the collective bargaining agreement between the Village and the Ohio Patrolmen's Benevolent Association currently in effect.

SECTION 3: This Resolution shall be effective as of December 30, 2023.

SECTION 4: 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 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 immediately establishing the pay for the Chief of Police prior to the effective date, 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.

RECORD OF ORDINANCES

Resolution No. 2023-102 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

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Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-103 Passed _____, 20___

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING RESOLUTION NO. 2023-11, INCLUDING EXHIBIT A THERETO, ENTITLED "WAGE AND BENEFIT PACKAGE FOR FULL-TIME EMPLOYEES OTHER THAN FULL-TIME POLICE DEPARTMENT AND FIRE DEPARTMENT EMPLOYEES," TO REVISE THE COMPENSATION AND HOLIDAY BENEFITS PROVIDED TO SUCH EMPLOYEES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the full-time employees of the Village other than the full-time Police Department and Dire Department employees and to make an adjustment to said employees' benefit by adding an additional holiday; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the full-time employees of the Village other than the full-time Police Department and Dire Department employees and to further adjust said employees' benefits 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: Exhibit A of Resolution 2023-11 is hereby amended as set forth in the attached Exhibit A, entitled "Wage and Benefit Package for Full-Time Employees Other Than Police Department and Fire Department Employees," which is incorporated herein.

SECTION 2: This Resolution shall be effective as of December 30, 2023.

SECTION 3: 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 4: 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 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.

RECORD OF ORDINANCES

Resolution No. 2023-103 Passed _____, 20 ___

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 immediately establishing the pay for the aforementioned full-time employees prior to the effective date, 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

WAGE AND BENEFIT PACKAGE FOR FULL TIME EMPLOYEES OTHER THAN POLICE OFFICERS AND FIRE DEPARTMENT EMPLOYEES FOR THE YEAR 2024

SECTION 1: WAGES. Effective beginning December 30, 2023, employees shall be compensated according to the following scale:

Street Department Full Time Employees: 2024 - $25.13 per hour

Street Department Supervisor: 2024 - $32.70 per hour

SECTION 2: NEW FULL TIME EMPLOYEES.

New full-time employees shall be hired and compensated at the rates set forth in Section 1.

SECTION 3: CLOTHING ALLOWANCE.

In addition to the uniforms provided by the Village of Mogadore to full-time street employees including the street supervisor, said employees shall receive an allowance of $400.00 for 2024 per man for the purchase of foul weather clothing. Upon proof of purchase of said clothing by way receipts presented to the Clerk, said full-time employee shall be reimbursed for said expense. Purchase of jackets or any other type of wearing apparel shall be of uniform color.

SECTION 4: INSURANCE.

1) The Employer will provide insurance on behalf of each full-time employee and eligible dependents for hospitalization, medical, optical, and dental insurance. For 2024, monthly premium payroll deductions and required co-pays for all employees shall be in accordance with the schedule provided by Employee Benefits International.

The term "Full-Time Employees" shall include all elected officials of the Village, who are regularly employed and compensated on a full-time basis

2) Insurance coverage shall be also provided for the surviving spouse and/or eligible children of a deceased employee for a period of three (3) months after death.

3) The Employer will provide and pay the full premium for all full-time employees for a life insurance policy in the face of forty thousand dollars ($40,000.00).

4) The Employer expressly reserves the right to change insurance coverage or carriers, so long as the new coverage meets the requirements contained within Section 1, Section 2, Section 3, and Section 4, contained herein.

SECTION 5: LONGEVITY.

On the first day of the month following a full-time employee's completion of four, nine, fourteen, nineteen, and twenty-four years of service with the Village of Mogadore said full-time employees other than police officers shall be entitled to, in addition to current base salary an amount equal to two, three, four, five, and six percent respectively of the current base salary.

SECTION 6: ACTING SUPERVISOR.

In the absence of the Street Supervisor for vacation, personal or sick time, the person who has been designated to be Acting Supervisor will be compensated at a rate of Four Dollars ($4.00) per hour over and above his normal rate of compensation. Said compensation applies to any hours worked as an acting supervisor and shall be the responsibility of the Street Supervisor to identify said person and hours per time cards when warranted. Said rate of compensation for the acting supervisor will be in effect September 8, 2006.

SECTION 7: SHIFT DIFFERENTIAL.

Street Department workers and the Street Supervisor will be compensated with a SHIFT DIFFERENTIAL of fifty cents ($0.50) per hour paid for hours regularly scheduled between the hours of. 3:30 p.m. and 7:30 a.m. The shift differential will only be paid for regular hours worked. Shift differential will not be paid if the employee works between 3:30 p.m. and 7:30 a.m. and these are overtime hours. The employee will receive overtime pay only for these hours.

SECTION 8: WORK WEEK.

Work week shall be defined as five (5) eight (8) hour days, totaling forty (40) hours, from 12:00 a.m. Monday through Friday.

All employees, for work performed in excess of eight (8) hours per day or eighty (80) hours in the standard work period, shall be compensated at the rate of one and one-half times the employee's regular rate for all overtime. All hours that are paid shall be included in the computation of overtime.

Paychecks shall be issued Bi-weekly.

SECTION 9: SICK LEAVE.

All full-time employees of the Village of Mogadore, other than elected officials and police officers shall be entitled to accumulate one and one-quarter (1-1/4) days of sick leave for each month worked. Unused sick leave may be cumulative up to one hundred fifty (150) days. Upon a bona fide retirement with the Public Employee Retirement System of Ohio, or upon disability while an employee of the Village, cash payment of a maximum of seventy-five (75) days shall be compensated to such employee at the option of the Village either as a lump sum or as an early retirement, to be paid in cash along with the general Village payroll.

In order to be entitled to sick leave of over three (3) consecutive days, employees must submit a doctor's certificate attesting to the sickness involved, which must be submitted to the Mayor. The Mayor shall have full authority to investigate such claims for sick leave and allow or disallow the leave, subject to the right of the employee to resubmit his application to the Street Department and in turn the full Council in the event of its disallowance.

The following Sick Leave Bonuses will be made available effective the first pay period in January, based on an employee's attendance in the previous calendar year:

1) Taken no sick leave - 16 hours pay
2) Taken 8 hours or less sick leave - 8 hours pay

SECTION 10: FUNERAL LEAVE.

An employee who has any one of the following described members of his family die shall be excused from work without loss of pay for not more than three (3) days with the third day being the day of the funeral. Said three (3) days shall include scheduled and non-scheduled working days alike. Said members of the family shall be limited to parents, children, spouse, mother-in-law, father-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, great-grandparent, grandchild, great-grandchild, grandparent, and great-grandparent of spouse, or dependent who lives in the household. The above categories of relatives include step-relatives, half relatives, and legally adopted children.

In the application of this clause with respect to in-laws, recognition for any such relationship will be limited to those resulting from the employee's current marital status. Where a marriage has been terminated by death and there has been no subsequent marriage, the in-law relationship will be recognized.

SECTION 11: HOLIDAYS.

Each full-time employee shall be paid for the following holidays: New Year's Day, Martin Luther King Day, Memorial Day, Juneteenth, July 4th, Labor Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve, and Christmas Day.

In order to receive compensation for any of the above holidays, an employee shall be present on the job the workday immediately preceding and immediately following each such legal holiday unless the said employee shall be on a duly authorized vacation. Compensation for hourly-paid employees for said holidays shall be computed for each individual employee on the basis of such employee's most recent hourly rate and on a forty (40) hour week. If any holiday described above, falls on a Saturday or Sunday, the Friday before or the Monday after, shall be a paid holiday for all full-time employees not scheduled normally to work on such a Saturday or Sunday. If the holiday falls within the period of vacation of any employee, such employee shall be entitled to an additional day of vacation for each occurrence.

If an employee is required to work on any of the holidays listed, he shall be entitled to pay for such time at the rate of two times the employee's regular hourly rate.

In addition, each full-time employee shall be paid for four (4) personal days off at regular pay to be taken any day through the year with the Street Supervisors' approval.

SECTION 12: VACATION.

All full-time employees of the Village, other than elected officials, hired on or after July 1, 1981, shall be entitled to two (2) weeks vacation per year after completion of one (1) year but less than five (5) years of service with the Village; three (3) weeks vacation per year after completion of five (5) years but less than ten years of service, four (4) weeks vacation per year after completion of ten (10) years but less than fifteen (15) years of service with the Village; and five (5) ~~four (4)~~ weeks vacation per year after completion of fifteen (15) or more years of service with the Village.

For purposes of this provision, the term Full-time employee shall be an employee who is regularly and normally scheduled to work forty (40) hours per week. Also, for purposes of this provision, a week's vacation is defined as forty (40) hours at a straight time rate. Although the Village shall attempt to accommodate its employees in scheduling vacations, all vacations shall be scheduled at the convenience of the Village.

Any member of the Street Department who is entitled to five (5) weeks of vacation, may at the approval of the Service director select to forego the taking of all but two (2) weeks of vacation and receive an amount commensurate with the vacation earned during this time. The compensation will be paid over pay periods in the year in which the vacation could have been taken. Any member wishing to select this option must give notice of intent in writing to the Mayor by March 1st in the year the member wishes to select the option.

SECTION 13: DISABILITY RETIREMENT.

In the event an employee is separated from Village employment by reason of disability retirement, the employee shall receive payment for any unused portion of the earned vacation, based on rate of pay at the time the employee is removed from the payroll.

In the event, an employee is separated from Village employment by reason of disability retirement the employee shall receive payment for unused accumulated sick days, based on rate of pay at the time the employee is removed from the payroll.

SECTION 14: INJURY LEAVE.

If an employee is absent from work because of an injury received in the line of duty, the employee shall continue to receive a salary which, together with Workmen's Compensation, shall equal his regular pay and for a time equal to the employee's allowed sick leave without such time being charged against his sick leave.

RECORD OF ORDINANCES

Ordinance No. 2023-104 Passed _____, 20____

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE AMENDING ORDINANCE 2022-90, SECTION 1 TO INCREASE THE COMPENSATION FOR PART-TIME POLICE OFFICERS IN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the part-time police officers employed by the Village; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the part-time police officers.

NOW, THEREFORE, be it ordained, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio that:

SECTION 1: Effective December 30, 2023, the part-time police officer positions shall be compensated at $20.60 per hour. In addition, part-time police officers will receive a clothing and equipment allowance of $600.00 annually.

SECTION 2: The Village of Mogadore 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 4: 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 establishing the pay for part-time police officer positions prior to the effective date set forth above, and, provided this Ordinance 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

RECORD OF ORDINANCES

Resolution No. 2023-105 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING THE FULL-TIME FIREFIGHTER HANDBOOK TO PROVIDE FOR INCREASES IN COMPENSATION AND AN ADJUSTMENT TO THE BENEFITS FOR FULL-TIME FIREFIGHTERS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, this Council has previously adopted a Full-Time Firefighter Handbook setting forth the terms and conditions of the employment of full-time firefighters by the Village, including compensation and benefits; and

WHEREAS, the Mayor has recommended increasing the compensation of the full-time firefighters of the Village and adding Juneteenth as an additional holiday; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to amend the Full-Time Firefighter Handbook to provide for an increase in the compensation of the full-time firefighters of the Village and to add Juneteenth as an additional holiday.

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 approves and adopts the amended version of the Full-Time Firefighter Handbook attached hereto as Exhibit A, amending Section III(B) thereof, for the purpose of increasing the compensation of the full-time firefighters of the Village, and amending Section IV(A) thereof for the purpose of adding Juneteenth as an additional holiday.

SECTION 2: This Resolution, and the amended version of the Full-Time Firefighter Handbook, shall be effective as of December 30, 2023.

SECTION 3: All other ordinances, resolutions, or parts of other ordinances and resolutions which may be in conflict with the provisions of this Resolution are hereby declared null and void and are of no further force and effect.

SECTION 4: 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 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.

RECORD OF ORDINANCES

Resolution No. 2023-105 Passed _____, 20____

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 immediately establishing the pay for the full-time firefighters of the Village prior to the effective date, 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

RECORD OF ORDINANCES

Resolution No. 2023-106 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING THE PART-TIME FIREFIGHTER HANDBOOK TO PROVIDE FOR INCREASES IN COMPENSATION AND AN ADJUSTMENT TO THE BENEFITS FOR PART-TIME FIREFIGHTERS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, this Council has previously adopted a Part-Time Firefighter Handbook setting forth the terms and conditions of the employment of part-time firefighters by the Village, including compensation and benefits; and

WHEREAS, the Mayor has recommended increasing the compensation of the part-time firefighters of the Village and adding Juneteenth as an additional holiday; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to amend the Part-Time Firefighter Handbook to provide for an increase in the compensation of the part-time firefighters of the Village and to add Juneteenth as an additional holiday.

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 approves and adopts the amended version of the Part-Time Firefighter Handbook attached hereto as Exhibit A, amending Section 11 thereof, for the purpose of increasing the compensation of the part-time firefighters of the Village, and amending Section 14 thereof for the purpose of adding Juneteenth as an additional holiday.

SECTION 2: This Resolution, and the amended version of the Part-Time Firefighter Handbook, shall be effective as of December 30, 2023.

SECTION 3: All other ordinances, resolutions, or parts of other ordinances and resolutions which may be in conflict with the provisions of this Resolution are hereby declared null and void and are of no further force and effect.

SECTION 4: 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 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.

RECORD OF ORDINANCES

Resolution No. 2023-106 Passed _____, 20____

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 immediately establishing the pay for the part-time firefighters of the Village prior to the effective date, 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:

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Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-107 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING RESOLUTION NO. 2022-94, SECTION 1 TO INCREASE THE COMPENSATION OF THE PART-TIME ZONING INSPECTOR, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the Part-Time Zoning Inspector; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Part-Time Zoning Inspector.

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

SECTION 1: Section 1 of Resolution No. 2022-94 is hereby amended to state as follows:

The Part-Time Zoning Inspector shall be compensated at an annual salary of $9,000.00, which shall be payable monthly.

SECTION 2: This Resolution shall be effective as of December 30, 2023.

SECTION 3: 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 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 establishing the pay for the Zoning Inspector prior to the effective date, 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.

PAGE NO. 0678

RECORD OF ORDINANCES

Resolution No. 2023-107 Passed _____, 20____

_____

President of Council Date

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Mayor Date

Attest:

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Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-108 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2023-5 TO INCREASE THE COMPENSATION FOR THE MAYOR'S COURT MAGISTRATE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 33.04 of the Codified Ordinances of the Village provides this Council with the authority to establish and determine the compensation of the Magistrate of the Mayor's Court; and

WHEREAS, the Mayor has recommended increasing the compensation of the Magistrate of the Mayor's Court; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Magistrate of the Mayor's Court.

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

SECTION 1: That as to compensation, Resolution No. 2023-5, Section 1 is hereby amended to state as follows:

"…The compensation for the services of the Mayor's Court Magistrate shall be an annual salary of $8,000.00 and such amount shall be paid by the Village."

SECTION 2: This Resolution shall be effective as of December 30, 2023.

SECTION 3: 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 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 establishing the pay for Magistrate for January 1, 2024, 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.

RECORD OF ORDINANCES

Resolution No. 2023-108 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

_____

Clerk-Treasurer

RECORD OF ORDINANCES

Resolution No. 2023-109 Passed _____, 20____

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AMENDING RESOLUTION NO. 2023-6, SECTION 1 TO INCREASE THE COMPENSATION FOR THE PART-TIME POSITION OF CEMETERY SEXTON, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(D) of the Village's Charter provides this Council with the authority to establish and determine the compensation of the employees of the Village; and

WHEREAS, the Mayor has recommended increasing the compensation of the Part-Time Cemetery Sexton; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to increase the compensation of the Part-Time Cemetery Sexton.

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

SECTION 1: Section 1 of Resolution No. 2023-6 is hereby amended to state as follows:

The position of part-time Cemetery Sexton shall be compensated at an hourly rate of $12.08 per hour. The Mayor shall be responsible for determining the amount of hours and establishing the necessary schedule.

SECTION 2: This Resolution shall be effective as of December 30, 2023.

SECTION 3: 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 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 establishing the pay for the Cemetery Sexton prior to the effective date, 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.

RECORD OF ORDINANCES

Resolution No. 2023-109 Passed _____, 20____

_____

President of Council Date

_____

Mayor Date

Attest:

_____

Clerk-Treasurer