

# Village of Mogadore

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Web Site: [www.mogadorevillage.org](http://www.mogadorevillage.org)

## COUNCIL MEETING AGENDA

February 7, 2024

5:30 p.m.

1. Moment of Reflection – Mr. Yoho
2. Pledge to the flag
3. Roll Call
4. Approval of the Agenda
5. Minutes from the January 3, 2024, Council meeting presented for changes, corrections, and adoption
6. Minutes from the January 17, 2024, Council meeting presented for changes, corrections, and adoption
7. Comments from the Audience on the pending legislation
8. Committee Reports
9. Old Business – None.
10. New Business –
  - Resolution 2024-5** – Mr. Tonsic  
A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR NECESSARY 2024 CHIP AND SEAL STREET REPAIRS WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.
  - Resolution 2024-6** – Mr. Raddish  
A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ESTABLISH A RATE, WITH THE ASSISTANCE OF BUCKEYE ENERGY BROKERS, INC., FOR THE VILLAGE'S ELECTRIC AGGREGATION PROGRAM FOR A PERIOD COMMENCING MAY 2024 AND CONTINUING FOR UP TO THIRTY-SIX (36) MONTHS, AND DECLARING AN EMERGENCY.
  - Resolution 2024-7** – Ms. Van Dike  
A RESOLUTION INCREASING RATES OF PAY FOR THE PART-TIME PARKS AND CEMETERY EMPLOYEES OF THE VILLAGE, AND DECLARING AN EMERGENCY.
  - Resolution 2024-8** – Ms. Van Dike  
A RESOLUTION AUTHORIZING AND ESTABLISHING THE POLICE TASER GRANT FUND, AND DECLARING AN EMERGENCY.

**Resolution 2024-9 – Ms. Van Dike**

A RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND TO THE POLICE TASER GRANT FUND, AND DECLARING AN EMERGENCY.

**Ordinance 2024-10 – Ms. Van Dike**

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

11. Comments

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

12. Adjournment

RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO ADVERTISE FOR BIDS FOR LABOR AND MATERIALS FOR NECESSARY 2024 CHIP AND SEAL STREET REPAIRS WITHIN THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

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

WHEREAS, the Village Engineer has recommended chip and seal street repairs to (i) Curtis Street between Seymour Avenue and Marion Avenue, and (ii) the parking lot and drives at the Village Hall, Police Station and Historical Society; and

WHEREAS, the Village Engineer estimates that the cost for labor and materials for the chip and seal street repairs to be \$118,430.00, which exceeds the threshold set forth in Section 14.03 of the Village’s Charter and therefore will require competitive bidding; 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 advertise for bids for labor and materials for the chip and seal street repairs 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: It is hereby determined necessary that the Village enter into a contract for labor and materials necessary for the chip and seal street repairs to (i) Curtis Street between Seymour Avenue and Marion Avenue, and (ii) the parking lot and drives at the Village Hall, Police Station and Historical Society.

SECTION 2: The Clerk-Treasurer of the Village is hereby authorized and directed to advertise for bids for the chip and seal street repairs to (i) Curtis Street between Seymour Avenue and Marion Avenue, and (ii) the parking lot and drives at the Village Hall, Police Station and Historical Society. A report of responses shall be provided to Council. The Village Engineer shall assist as necessary.

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.

RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

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 enabling the 2024 chip and seal street repairs to commence in a timely fashion, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

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

\_\_\_\_\_  
Mayor    Date

Attest:

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

RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

SPONSOR: UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ESTABLISH A RATE, WITH THE ASSISTANCE OF BUCKEYE ENERGY BROKERS, INC., FOR THE VILLAGE’S ELECTRIC AGGREGATION PROGRAM FOR A PERIOD COMMENCING MAY 2024 AND CONTINUING FOR UP TO THIRTY-SIX (36) MONTHS, AND DECLARING AN EMERGENCY.

WHEREAS, the Village previously entered into an agreement with Buckeye Energy Brokers, Inc. (“Buckeye”) for a term of five (5) years, commencing in May 2024, whereby Buckeye would provide opt-out electric aggregation services to the Village in consideration of an administrative fee of \$0.001/kWh consumed in the Village payable by the selected supplier on at least a quarterly basis for the length of the agreement; and

WHEREAS, pursuant to the agreement, Buckeye provides the Village with energy related services, which includes securing the electric aggregation service rates and pricing; and

WHEREAS, Buckeye sent out a Request For Proposal (“RFP”) to suppliers for the electric aggregation program and received several responses; and

WHEREAS, Buckeye intends to continue to obtain updated pricing from the entities that responded to the RFP, and believes that upcoming mild weather may bring slightly better pricing; and

WHEREAS, the Mayor has requested that he be authorized to establish a rate for the Village’s electric aggregation program, with the assistance of Buckeye, for a period commencing in May 2024 and continuing for up to thirty-six (36) months; and

WHEREAS, this Council finds and determines that it is in the best interest of the Village, and the residents and businesses located within the limits of the Village, to authorize the Mayor to establish a rate for the Village’s electric aggregation program, with the assistance of Buckeye, for a period commencing in May 2024 and continuing for up to thirty-six (36) months.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MOGADORE, PORTAGE AND SUMMIT COUNTIES, STATE OF OHIO THAT:

SECTION 1: The Mayor is hereby authorized to establish a rate for the Village’s electric aggregation program, with the assistance of Buckeye, for a period commencing in May 2024 and continuing for up to thirty-six (36) months.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in



RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

SPONSOR: FINANCE COMMITTEE

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

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

WHEREAS, the Mayor has recommended to this Council that the rates of pay for the Part-Time Parks and Cemetery Employees be increased as not to exceed Seventeen Dollars (\$17.00) per hour, payable bi-weekly, and that the precise amount of pay for the individuals filling those positions be further established by the Mayor; and

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

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

SECTION 1: The Part-Time Parks Maintenance Supervisor, Part-Time Parks Maintenance Assistant Supervisor, Part-Time Parks Maintenance Workers, Part-Time Parks Recreation Supervisor, Part-Time Parks Recreation Assistant Supervisor, Part-Time Parks Recreation Workers, and Part-Time Cemetery Maintenance Workers shall receive compensation for their services at a rate between the Ohio minimum wage and an amount not to exceed Seventeen Dollars (\$17.00) per hour, payable bi-weekly. The precise amount paid to the individuals filling these positions, within the range set forth in this Section, shall be further established by the Mayor.

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

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately and appropriately compensating the Part-Time Parks

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Resolution No. \_\_\_\_\_

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

and Cemetery Employees prior to commencement of hiring many of the individuals for those positions for the Spring and Summer 2024 seasons, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

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

\_\_\_\_\_  
 Mayor    Date

Attest:

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



RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

SPONSOR: FINANCE

A RESOLUTION AUTHORIZING AND ESTABLISHING THE POLICE TASER 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 Police Taser Grant Fund to account for grant monies received from the State of Ohio Office of Criminal Justice Services 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 Police Taser 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 Police Taser Grant Fund so as to allow for the accounting of money from the State of Ohio Office of Criminal Justice Services.

SECTION 2: All monies collected from the State of Ohio Office of Criminal Justice Services shall be placed in the Police Taser Grant Fund, which shall be used solely for purposes authorized by State of Ohio Office of Criminal Justice Services.

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.

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Resolution No. \_\_\_\_\_

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Attest:

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

RECORD OF ORDINANCES

Resolution No. \_\_\_\_\_

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

SPONSOR: FINANCE COMMITTEE

A RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS FROM THE GENERAL FUND TO THE POLICE TASER 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 Police Taser 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 advance of funds from the General Fund to the Police Taser 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 Taser 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	\$14,824.45
To: Police Taser Grant Fund	\$14,824.45

SECTION 2: The Clerk-Treasurer is hereby authorized and directed to effectuate the advance 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

Ordinance No. \_\_\_\_\_

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, 2024, 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, 2024; 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, 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 amends the annual appropriations for the current expenses and other expenditures of the Village for the Fiscal Year ending December 31, 2024, from the various funds of the Village, as follows:

POLICE TASER GRANT FUND

Other

\$14,824.45

SECTION 2: With such amendments specified in Section 1 above, the total revised appropriations for the Village for the Fiscal Year ending December 31, 2024, 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.

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Ordinance No. \_\_\_\_\_

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

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 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. 2024-10  
 2024 ANNUAL APPROPRIATIONS ORDINANCE  
 Amendment #1

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

<u>GENERAL FUND</u>		
Administrative (Mayor, Legislative, Solicitor, and Clerk-Treasurer)	Personal Service	\$140,387.00
	Other	<u>\$695,189.00</u>
		\$835,576.00
Mayor's Court	Personal Service	\$10,792.00
	Other	<u>\$8,650.00</u>
		\$19,442.00
Police Law Enforcement	Personal Service	\$1,065,599.00
	Other	<u>\$533,751.00</u>
		\$1,599,350.00
Service (Land and Buildings) Personal Service	Personal Service	\$0.00
	Other	<u>\$116,900.00</u>
		\$116,900.00
	Transfers Out	<u>\$2,372,000.00</u>
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>		<b><u>\$4,943,268.00</u></b>
 <u>FIRE EMS FUND</u>		
	Personal Service	\$0.00
	Other	<u>\$37,500.00</u>
		\$37,500.00
 <u>FIRE FUND</u>		
	Personal Service	\$497,778.00
	Other	<u>\$437,050.00</u>
		\$934,828.00
 <u>SAFETY GRANT</u>		
	Personal Service	\$319,956.00
	Other	<u>\$90,000.00</u>
		\$409,956.00
 <u>POLICE TASER GRANT FUND</u>		
	Personal Service	\$0.00
	Other	<u>\$14,824.45</u>
		\$14,824.45
 <u>CEMETERY FUND</u>		
	Personal Service	\$12,145.00
	Other	<u>\$127,800.00</u>
		\$139,945.00
 <u>STREETS CONSTRUCTION/MAINTENANCE</u>		
	Personal Service	\$321,540.00
	Other	<u>\$591,840.00</u>
		\$913,380.00
 <u>STATE HIGHWAY</u>		
	Personal Service	\$0.00
	Other	<u>\$10,550.00</u>
		\$10,550.00
 <u>PARKS &amp; RECREATION</u>		
	Personal Service	\$98,128.00
	Other	<u>\$470,600.00</u>
		\$568,728.00
 <u>COURT COMPUTERIZATION FUND</u>		
	Personal Service	\$0.00
	Other	<u>\$3,000.00</u>
		\$3,000.00
 <u>COVID AID FISCAL RECOVERY</u>		
	Personal Service	\$0.00
	Other	<u>\$25,750.00</u>
		\$25,750.00
 <u>WATER/SEWER MAIN PROJECT</u>		
	Personal Service	\$0.00
	Other	<u>\$1,152,000.00</u>
		\$1,152,000.00
 <u>POLICE PENSION FUND</u>		
	Personal Service	\$0.00
	Other	<u>50,000.00</u>
		\$50,000.00
 <u>DEBT SERVICE FUND</u>		
	Personal Service	\$0.00
	Other	<u>\$66,000.00</u>
		\$66,000.00
 <b>GRAND TOTAL ALL APPROPRIATIONS FOR 2024</b>		 <b><u><u>\$9,269,729.45</u></u></b>