

September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 LABOR DAY 	6 COUNCIL 7:30 CAUCUS 7:15 STREETS, STORM WATER, UTILITIES &-R&Θ 6:00	7 PLANNING COMMISSION 7:00 CAUCUS 6:45	8	9	10
11	12 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	13 Fair Housing Board 5:00 p.m. Community Room #2)	14	15	16	17
18	19	20 COUNCIL 7:30 CAUCUS 7:15 B&BC, FINANCE AND SAFETY 6:00	21 PLANNING COMMISSION 7:00 CAUCUS 6:45	22 FALL BEGINS 	23	24
25 HARVEST FEST 11-4	26	27 REC BOARD 6:00	28	29 BZA 7:00 CAUCUS 6:45	30	

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

October 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 COUNCIL 7:30 CAUCUS 7:15 STREETS, STORM WATER, UTILITIES	5 PLANNING COMMISSION 7:00 CAUCUS 6:45	6	7	8
9	10 COLUMBUS DAY CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	11	12	13	14	15
16	17	18 COUNCIL 7:30 CAUCUS 7:15 B&BC, FINANCE AND SAFETY 6:00	19 PLANNING COMMISSION 7:00 CAUCUS 6:45	20	21	22
23	24	25 REC BOARD 6:00	26	27 BZA 7:00 CAUCUS 6:45	28	29
30	31 					

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

**NORTH ROYALTON CITY COUNCIL
A G E N D A
SEPTEMBER 20, 2016**

7:15 p.m. Caucus

Council Meeting 7:30 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: September 6, 2016.
 - b. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	John Nickell
Finance	Larry Antoskiewicz
Review & Oversight	Dan Kasaris
Safety	Gary Petrusky
Storm Water	Dan Langshaw
Streets	Steve Muller
Utilities	Paul Marnecheck
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Dan Kasaris
Planning Commission	Larry Antoskiewicz
Recreation Board	Paul Marnecheck
11. Public Discussion: Five minute maximum, on current agenda legislation only.
12. LEGISLATION

SECOND READING CONSIDERATION

1. **16-124** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART EIGHT BUSINESS REGULATION AND TAXATION CODE, BY CREATING A NEW CHAPTER 878 WAGE ENFORCEMENT, AND DECLARING AN EMERGENCY. **First reading September 6, 2016 and referred to Finance Committee.**

FIRST READING CONSIDERATION

- * 1. **16-129** - A RESOLUTION COMMENDING TYLER GLUECK ON THE ATTAINMENT OF THE RANK OF EAGLE SCOUT.
- * 2. **16-130** - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF TIMOTHY LEWANDOWSKI AS A MEMBER OF THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.

- * 3. **16-131** - A RESOLUTION SUPPORTING THE NORTH ROYALTON CITY SCHOOL DISTRICT'S 4.9-MILL BOND ISSUE.
 - * 4. **16-132** - A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY.
 - * 5. **16-133** - A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY.
 - 6. **16-134** - AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 15-102 AS AMENDED BY ORDINANCES 16-22, 16-51, 16-68, 16-96 AND 16-110 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.
 - 7. **16-135** - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DALENE M. PRIDE TO AUDIT OHIO BUREAU OF MOTOR VEHICLES RECORDS RELATED TO THE MOTOR VEHICLE LICENSE TAX, AND DECLARING AN EMERGENCY.
 - 8. **16-136** - AN ORDINANCE AMENDING PART SIX GENERAL OFFENSES CODE, CHAPTER 628 FAIR HOUSING OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
 - 9. **16-137** - A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENTS OF AUNDREE YOUNG, ROBERT SINDYLA AND STACY NICKLES (NONVOTING MEMBER) AS MEMBERS OF THE CITY OF NORTH ROYALTON'S FAIR HOUSING REVIEW BOARD, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
14. Adjournment.

RESOLUTION NO. 16-132

INTRODUCED BY: Muller, Antoskiewicz, Nickell
Co-Sponsor: Langshaw

A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY

WHEREAS: Pursuant to Article VIII, Section 2K of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS: Pursuant to Section 164.06 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend applications for State financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS: Pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for State financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS: The City of North Royalton has conducted a capital inventory and needs assessment and has determined that it is necessary to submit applications for financial assistance for capital infrastructure improvement projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor is hereby authorized to apply to the District One Public Works Integrating Committee and the Ohio Public Works Commission for financial assistance for the following capital infrastructure improvement project:

Edgerton Road Resurfacing (Bennett Road to Ridge Road)

Section 2. The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance in conjunction with the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon by the City Director of Finance.

Section 3. 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 meetings open to the public in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to authorize the Mayor to seek Issue 1 financial assistance.

THEREFORE, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

RESOLUTION NO. 16-133

INTRODUCED BY: Muller, Antoskiewicz, Nickell\
Co-Sponsor: Langshaw

A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE STATE ISSUE 1 INFRASTRUCTURE BOND PROGRAM FOR FUNDING OF VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY

WHEREAS: Pursuant to Article VIII, Section 2K of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS: Pursuant to Section 164.06 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend applications for State financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS: Pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for State financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS: The City of North Royalton has conducted a capital inventory and needs assessment and has determined that it is necessary to submit applications for financial assistance for capital infrastructure improvement projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor is hereby authorized to apply to the District One Public Works Integrating Committee and the Ohio Public Works Commission for financial assistance for the following capital infrastructure improvement project:

Tilby Road Resurfacing (York Road to Ridge Road)

Section 2. The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance in conjunction with the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon by the City Director of Finance.

Section 3. 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 meetings open to the public in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to authorize the Mayor to seek Issue 1 financial assistance.

THEREFORE, provided this Resolution receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 15-102 AS AMENDED BY ORDINANCES 16-22, 16-51, 16-68, 16-96 AND 16-110 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY

WHEREAS: Council wishes to amend the Original Appropriation Ordinance 15-102 as amended by Ordinances 16-22, 16-51, 16-68, 16-96 and 16-110 for the fiscal year ending December 31, 2016 by transferring and making additional appropriations and providing for transfers between funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. To provide for the current expenses and other expenditures for the City of North Royalton, Ohio for the fiscal year ending December 31, 2016, the following sums be and they are hereby appropriated as itemized on Exhibit A attached hereto and incorporated herein as if fully rewritten.

Section 2. The attached Exhibit A includes the following inter-fund transfers:

General Fund	Police Facility Fund	\$ 370,000.00	Operating
General Fund	EMS Levy Fund	1,700,000.00	Operating
General Fund	SCMR Fund	800,000.00	Operating
General Fund	Office on Aging Fund	30,000.00	Operating
General Fund	Police Pension Fund	375,000.00	Operating
General Fund	Fire Pension Fund	490,000.00	Operating
Future Capital Improvement Fund	General Bond Retirement Fund	280,000.00	Operating
Future Capital Improvement Fund	YMCA Capital Reserve Fund	85,000.00	Operating
Storm Sewer & Drainage Fund	SCMR Fund	650,000.00	Operating
Storm Sewer & Drainage Fund	General Bond Retirement Fund	328,400.00	Debt Service
Fire Capital Improvement Fund	General Bond Retirement Fund	200,000.00	Debt Service
YMCA Special Revenue Fund	General Bond Retirement Fund	629,844.00	Debt Service
YMCA Special Revenue Fund	YMCA Capital Reserve Fund	150,000.00	Operating
Issue 1 Sprague Road	General Bond Retirement Fund	17,887.00	Debt Service
Issue 1 Sprague Road	Future Capital Improvement Fund	1,172,593.00	Repayment of Advance
Wastewater Repair & Replacement Fund	Wastewater Maintenance Fund	300,000.00	Advance

Section 3. A copy of this Ordinance shall be submitted by the Director of Finance to the Auditor of Cuyahoga County, Ohio and upon certification by said Auditor as required by law, the Director of Finance of this City is hereby authorized to draw her warrants upon the City Treasury for payment of any certification and vouchers therefore approved by the proper officers authorized by law to approve the same, or an Ordinance or Resolution of the Council to make such expenditures; provided, however, that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with the law or the Ordinances of this Council.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 meetings open to the public in compliance with all legal requirements.

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
GENERAL FUND					
POLICE DEPARTMENT					
Personal Service	\$ 3,277,800	\$ -	\$ -		\$ 3,277,800
Contractual Services	289,678	1,069	27,000		317,747
Supply & Materials	209,733	1,797	(18,000)	(20,000) (A)	173,530
Capital Outlay	-	4,927	18,000		22,927
Total Police Department	3,777,211	7,793	27,000	(20,000)	3,792,004
TRAFFIC SIGNALS					
Capital Improvement	5,000	-	-		5,000
Total Traffic Signals	5,000	-	-	-	5,000
ANIMAL CONTROL					
Personal Service	121,730	-	-		121,730
Contractual Services	6,450	-	-		6,450
Supply & Materials	7,950	-	-		7,950
Capital Outlay	200	-	-		200
	136,330	-	-	-	136,330
FIRE DEPARTMENT					
Personal Service	503,530	-	-		503,530
Contractual Services	261,600	22,278	1,300		285,178
Supply & Materials	77,400	8,866	-		86,266
Capital Outlay	-	-	-		-
Total Fire Department	842,530	31,144	1,300	-	874,974
POLICE AND FIRE COMMUNICATIONS					
Personal Service	174,860	-	-		174,860
Contractual Services	645,900	-	15,200	50,000 (A)	711,100
Supply & Materials	-	-	-		-
Capital Outlay	2,500	-	-		2,500
Total Police & Fire Comm	823,260	-	15,200	50,000	888,460
STREET LIGHTING					
	140,000	-	-		140,000
Total Street Lighting	140,000	-	-	-	140,000
SAFETY DIRECTOR					
Personal Service	117,650	-	-		117,650
Contractual Services	5,950	-	-		5,950
Operating Supplies	6,150	-	-		6,150
Capital Outlay	1,500	-	-		1,500
Total Police & Fire Comm	131,250	-	-	-	131,250
CEMETERY DEPARTMENT					
Personal Service	-	-	-		-
Contractual Services	23,007	1,650	-	15,000 (B)	39,657
Supply & Materials	148,784	1,841	-		150,625
Capital Outlay	45,000	-	-		45,000
Total Cemetery Department	216,791	3,491	-	15,000	235,282
PARKS & RECREATION DEPARTMENT					
Personal Service	324,030	-	-		324,030
Contractual Services	77,411	-	-		77,411
Supply & Materials	107,930	6,009	-		113,939
Capital Outlay	-	9,266	-		9,266
Total Parks & Recreation Depart	509,371	15,275	-	-	524,646
PLANNING COMMISSION					
Personal Service	6,950	-	-		6,950
Contractual Services	4,950	-	-		4,950
Supply & Materials	550	-	-		550
Capital Outlay	-	-	-		-
Total Planning Commission	12,450	-	-	-	12,450
BOARD OF ZONING					
Personal Service	12,630	-	-		12,630
Contractual Services	1,000	-	-		1,000
Supply & Materials	700	53	-		753
Total Board of Zoning	14,330	53	-	-	14,383
BUILDING DEPARTMENT					
Personal Service	552,100	-	-		552,100

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
Contractual Services	59,200	3,400	-		62,600
Supply & Materials	11,250	582	-		11,832
Capital Outlay	23,000	-	-		23,000
Total Building Department	645,550	3,982	-	-	649,532
COMMUNITY DEVELOPMENT					
Personal Service	140,350	-	-		140,350
Contractual Services	19,370	3,274	500	50,000 (C)	73,144
Supply & Materials	1,900	-	-		1,900
Capital Outlay	1,000	-	-		1,000
Total Community Development	162,620	3,274	500	50,000	216,394
RUBBISH COLLECTION					
Contractual Services	1,215,216	-	-		1,215,216
Total Rubbish Collection	1,215,216	-	-	-	1,215,216
SERVICE BUILDING AND GROUNDS					
Personal Service	-		-		-
Contractual Services	105,887	12,077	-		117,964
Supply & Materials	20,950	3,537	-		24,487
Capital Outlay	500	-	-		500
Total Service Bldg & Grounds	127,337	15,614	-	-	142,951
MAYOR'S OFFICE					
Personal Service	291,100	-	-		291,100
Contractual Services	27,070	-	500	3,500 (D)	31,070
Supply & Materials	2,500	-	-		2,500
Capital Outlay	-	-	-		-
Total Mayor's Office	320,670	-	500	3,500	324,670
FINANCE DEPARTMENT					
Personal Service	321,800	-	-		321,800
Contractual Services	127,900	265	-		128,165
Supply & Materials	3,200	-	-		3,200
Capital Outlay	1,000	2,092	-		3,092
Total Finance Department	453,900	2,357	-	-	456,257
LEGAL ADMINISTRATION					
Personal Service	329,100	-	-		329,100
Contractual Services	97,650	-	-		97,650
Supply & Materials	10,421	-	-		10,421
Capital Outlay	-	-	-		-
Total Legal Administration	437,171	-	-	-	437,171
ENGINEERING DEPARTMENT					
Personal Service	147,710	-	-		147,710
Contractual Services	118,800	12,675	-		131,475
Supply & Materials	1,750	-	-		1,750
Capital Outlay	1,600	1,096	-		2,696
Total Engineering	269,860	13,771	-	-	283,631
LEGISLATIVE					
Personal Service	291,800	-	-		291,800
Contractual Services	38,100	-	-	12,000 (E)	50,100
Supply & Materials	13,500	3,340	-		16,840
Capital Outlay	6,000	-	-		6,000
Total Legislative Activity	349,400	3,340	-	12,000	364,740
MAYOR'S COURT					
Personal Service	127,750	-	-		127,750
Contractual Services	66,575	-	-		70,075
Supply & Materials	1,500	-	-		1,500
Capital Outlay	-	-	-		-
Total Mayor's Court	195,825	-	-	-	195,825
CIVIL SERVICE					
Personal Service	4,360	-	-		4,360
Contractual Services	13,700	-	12,000		25,700
Supply & Materials	200	-	-		200
Total Civil Service	18,260	-	12,000	-	30,260
CITY HALL BUILDING					

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
Personal Service	7,000	-	80,200		87,200
Contractual Services	214,400	424	610		215,434
Supply & Materials	38,000	33	400		38,433
Capital Outlay	500	-	-		500
Debt Service	-	-	-		-
Total City Hall Building	259,900	457	81,210	-	341,567
OTHER GENERAL GOVERNMENT					
Personal Services	1,000	-	-		1,000
Supply & Materials	255,000	225	-	(20,000) ^(A)	235,225
Transfers-Out	3,165,000	-	600,000		3,765,000
Total - Other General Governme	3,421,000	225	600,000	(20,000)	4,001,225
TOTAL - GENERAL FUND	14,485,232	100,776	737,710	90,500	15,414,218
ENFORCEMENT AND EDUCATIONAL FUND #205					
Personal Service	-	-	-	11,000 ^(F)	11,000
Supply & Materials	25,000	-	-		25,000
Total - Enforcement & Education	25,000	-	-	11,000	36,000
DRUG LAW ENFORCEMENT FUND #206					
Supply & Materials	200	-	-		200
Total - Drug Law Enforcement	200	-	-	-	200
POLICE FACILITY OPERATING FUND #207					
Personal Service	779,650	-	-		779,650
Contractual Services	19,900	-	-		19,900
Supply & Materials	64,642	-	-		64,642
Capital Outlay	2,400	-	-		2,400
Total - Police Facility Operating	866,592	-	-	-	866,592
LAW ENFORCEMENT TRUST FUND #208					
Supply & Materials	5,000	-	-		5,000
Total - Law Enforcement Trust	5,000	-	-	-	5,000
EMERGENCY MEDICAL SERVICE LEVY FUND #209					
Personal Service	2,486,400	-	-		2,486,400
Contractual Services	33,000	6,700	-		39,700
Supply & Materials	34,800	1,960	1,320	2,780 ^(G)	40,860
Total EMS Levy Fund	2,554,200	8,660	1,320	2,780	2,566,960
MOTOR VEHICLE LICENSE FUND #210					
Traffic Signals	-	-	-		-
Street Repair	220,050	300,540	-		520,590
Transfers-Out	-	-	-		-
Total Motor Vehicle License Fund	220,050	300,540	-	-	520,590
STREET CONSTRUCTION, MAINTENANCE, & REPAIR FUND #211					
Signals & Signs	-	-	-		-
Personal Service	-	-	-		-
Contractual Services	70,000	6,295	15,000		91,295
Supply & Materials	23,000	-	-		23,000
	93,000	6,295	15,000	-	114,295
Storm Sewer	-	-	-		-
Personal Service	487,910	-	-		487,910
Contractual Services	60,375	1,037	-		61,412
Supply & Materials	183,700	-	-		183,700
	731,985	1,037	-	-	733,022
Street Reconstruction	-	-	-		-
Supply & Materials	-	-	-		-
Capital Outlay	-	665,059	660,000		1,325,059
	-	665,059	660,000	-	1,325,059
Street Construction, Maintenance & Repair	-	-	-		-
Personal Service	2,025,780	-	(80,200)		1,945,580
Contractual Services	169,795	3,748	(600)	(12,000) ^(E)	160,943
Supply & Materials	440,325	22,049	(410)		461,964
Capital Outlay	48,200	858	(15,000)		34,058
Debt Service	-	-	-		-
Transfers-Out	-	-	-		-
	2,684,100	26,655	(96,210)	(12,000)	2,602,545
Snow Removal	-	-	-		-
Personal Service	115,500	-	-		115,500

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
Contractual Services	11,500	-	-		11,500
Supply & Materials	394,500	290	-		394,790
Capital Outlay	-	-	-		-
	521,500	290	-	-	521,790
Total SCMR Fund	4,030,585	699,336	578,790	(12,000)	5,296,711
STATE HIGHWAY FUND #212					
Street Maintenance & Repair			-		
Operating Supplies	25,000	-	-		25,000
			-		
Snow & Ice Removal			-		
Supply & Materials	65,000	-	-		65,000
Total State Highway Fund	90,000	-	-	-	90,000
CITY INCOME TAX FUND #213					
Contractual Services	450,000	-	-		450,000
Total City Income Tax Fund	450,000	-	-	-	450,000
POLICE LEVY FUND #215					
Personal Services	1,100,000	-	-		1,100,000
Capital Outlay	226,069	18,642	-		244,711
Total - Police Levy Fund	1,326,069	18,642	-	-	1,344,711
FIRE LEVY FUND #216					
Personal Service	1,000,000	-	-		1,000,000
Total Fire Levy Fund	1,000,000	-	-	-	1,000,000
RECYCLING GRANT FUND #217					
Contractual Services	4,000	-	(2,000)		2,000
Supplies & Materials	-	-	4,000		4,000
Total Recycling Grant	4,000	-	2,000	-	6,000
OFFICE ON AGING FUND #219					
Personal Services	180,890	-	-		180,890
Contractual Services	11,550	-	-		11,550
Supply & Materials	11,530	48	-		11,578
Capital Outlay	-	-	-		-
Total Office on Aging	203,970	48	-	-	204,018
COURT COMPUTER FUND #236					
Contractual Services	10,000	-	-		10,000
Operating Supplies	5,000	-	-		5,000
Capital Outlay	10,000	415	15,000		25,415
Total Court Computer	25,000	415	15,000	-	40,415
COMMUNITY DIVERSION PROGRAM FUND #237					
Personal Services	15,000	-	-		15,000
Contractual Services	1,000	-	-		1,000
Operating Supplies	1,500	-	-		1,500
Capital Outlay	-	-	-		-
Total Community Diversion	17,500	-	-	-	17,500
ENTERPRISE ZONE FUND #239					
Contractual Services	750	-	-	-	750
Total Enterprise Zone Fund	750	-	-	-	750
YMCA SPECIAL REVENUE FUND #249					
Contractual Services	-	5,300	-		5,300
Transfers-Out	566,313	-	213,531		779,844
Total Enterprise Zone Fund	566,313	5,300	213,531	-	785,144
ACCRUED BALANCES FUND #260					
Personal Service	-	-	71,400		71,400
Transfers-Out	-	-	-		-
Total AB Fund	-	-	71,400	-	71,400
POLICE PENSION FUND #261					
Personal Service	621,670	-	-		621,670
Total Police Pension Fund	621,670	-	-	-	621,670
FIRE PENSION FUND #262					

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
Personal Service	735,277	-	-		735,277
Total Police Pension Fund	735,277	-	-	-	735,277
GENERAL BOND RETIREMENT FUND #321					
Supply & Materials	25,000	-	-		25,000
Debt Service - Interest	471,600	-	252,850		724,450
Debt Service - Principal	1,112,035	-	265,001		1,377,036
Total General Bond Retirement	1,608,635	-	517,851	-	2,126,486
SPECIAL ASSESSMENT FUND #341					
Other	-	-	-		-
Debt Service	144,000	-	23,150		167,150
Total Special Assessment Fund	144,000	-	23,150	-	167,150
SERVICE CAPITAL FUND #430					
Capital Outlay	70,000	-	(70,000)		-
Debt Service	-	-	70,000		70,000
Total Rec Capital Improvement	70,000	-	(70,000)	-	70,000
RECREATION CAPITAL IMPROVEMENT FUND #431					
Recreation Capital Improvement			-		-
Contractual Services	10,000	-	50,000		60,000
Capital Outlay	-	-	-		-
Total Rec Capital Improvement	10,000	-	50,000	-	60,000
FUTURE CAPITAL IMPROVEMENT FUND #432					
Contractual Services	-	-	-		-
Capital Outlay	-	11,673	350,000		361,673
Debt Service	-	-	-		-
Transfers-Out	280,000	-	85,000		365,000
Total Future Capital Improvement	280,000	11,673	435,000	-	726,673
STORM AND SEWER DRAINAGE FUND #433					
Contractual Services	71,400	6,360	462,644		540,404
Capital Outlay	1,615,000	36,885	-		1,651,885
Debt Service	-	-	-		-
Transfers-Out	978,400	-	-		978,400
Total Storm & Sewer Drainage	2,664,800	43,245	462,644	-	3,170,689
FIRE CAPITAL IMPROVEMENT FUND #434					
Contractual Services	-	-	-		-
Operating Supplies	-	-	-		-
Capital Outlay	850,000	92,044	(650,000)		292,044
Debt Service	-	-	-		-
Transfer Out	200,000	-	-		200,000
Total Fire Capital Imp. Fund	1,050,000	92,044	(650,000)	-	492,044
YMCA CAPITAL RESERVE FUND #437					
Contractual Services	-	-	10,000		10,000
Operating Supplies	-	-	-		-
Capital Outlay	-	-	225,000		225,000
Total YMCA Capital Imp Fund	-	-	235,000	-	235,000
ISSUE 1 - BENNETT ROAD FUND #442					
Contractual Services	-	1,366	-		1,366
Capital Outlay	-	-	-		-
Debt Service	-	-	-		-
Total Bennett Road Fund	-	1,366	-	-	1,366
WATER MAIN FUND #445					
Contractual Services	-	56,200	-		56,200
Operating Supplies	-	-	-		-
Capital Outlay	765,000	-	400,000		1,165,000
Total Water Main Fund	765,000	56,200	400,000	-	1,221,200
ISSUE 1 - SPRAGUE ROAD FUND #451					
Contractual Services	-	2,109	36,400		38,509
Capital Outlay	-	-	4,600		4,600
Debt Service	-	-	-		-
Transfer Out	-	-	17,887		17,887
Advance Out	-	-	1,172,594		1,172,594
Total YMCA Capital Imp Fund	-	2,109	1,231,481	-	1,233,590

**CITY OF NORTH ROYALTON
2016 AMENDING BUDGET ORDINANCE**

	Appropriations per Ord. 2015-102	Prior Year Encumbrances Ord. 2016-22/51	Prior Amendments Subtotal (5)	Amendments this Ordinance	Total 2016 Appropriations
WASTEWATER TREATMENT FUND #551					
Sanitary Sewer Treatment					
Personal Services	1,181,900	-	-		1,181,900
Contractual Services	2,846,350	104,776	-		2,951,126
Supply & Materials	248,900	10,570	-		259,470
Capital Outlay	798,000	4,321	4,494,000		5,296,321
Transfer-Out	-	-	-		-
Compost Facility					
Personal Services	-	-	-		-
Contractual Services	30,100	-	-		30,100
Supply & Materials	500	-	-		500
Capital Outlay	-	-	-		-
Total Wastewater Treatmen	5,105,750	119,667	4,494,000	-	9,719,417
WASTEWATER MAINTENANCE FUND #552					
Personal Service	803,800	-	-		803,800
Contractual Services	164,050	3,000	75,000		242,050
Supply & Materials	159,450	732	-		160,182
Capital Outlay	30,000	-	-		30,000
Debt Service	45,380	-	-		45,380
Total WW Maintenance Fund	1,202,680	3,732	75,000	-	1,281,412
WASTEWATER DEBT SERVICE FUND #553					
Debt Service	1,387,063	-	88,250		1,475,313
Total WW Debt Service Fund	1,387,063	-	88,250	-	1,475,313
WASTEWATER REPAIR AND REPLACEMENT FUND #555					
Capital Outlay	874,000	344,948	-		1,218,948
Transfers-Out	300,000	-	-		300,000
Total WW Repair & Replacem't	1,174,000	344,948	-	-	1,518,948
IMPROVEMENT HOLDING FUND #763					
Refunds	200,000	-	-		200,000
Total Improvement Holding Fund	200,000	-	-	-	200,000
OHIO BOARD OF BUILDING STANDARDS FUND #764					
Other	2,000	-	-		2,000
Total OBBS Fund	2,000	-	-	-	2,000
BUILDING CONSTRUCTION BOND FUND #766					
Transfer	-	-	-		-
Other	75,000	-	-		75,000
Total Bldg. Construction Bond	75,000	-	-	-	75,000
OFFICE ON AGING DEPOSITS FUND #768					
Other	3,000	-	-		3,000
Total Office on Aging Deposits	3,000	-	-	-	3,000
UNCLAIMED FUNDS #769					
Other	5,000	-	-		5,000
Total Unclaimed Funds	5,000	-	-	-	5,000
					-
FUND TOTALS	\$ 42,974,336	\$ 1,808,701	\$ 8,912,127	\$ 92,280	\$ 53,857,443



Dalene M. Pride
Governmental Affairs Consultant
874 Brookside Drive
Pickerington, OH 43147
(614) 837-8430
email: dalenep@att.net

AGREEMENT
BUREAU OF MOTOR VEHICLES TAXING DISTRICT AUDITS

This Agreement authorizes Dalene M. Pride, an independent governmental affairs consultant, to conduct audits of certain Ohio Bureau of Motor Vehicles records for, and on behalf of, the City of North Royalton, Cuyahoga County, Ohio. The audits will include the following:

The Bureau of Motor Vehicles registration records of selected Ohio taxing districts will be audited and all registrations that have been incorrectly allocated will be recorded on the prescribed forms. A copy of all incorrect registrations will be transmitted to the appropriate political subdivision for review and challenge within the thirty-day period allowed by the Bureau of Motor Vehicles.

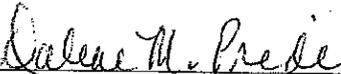
After the thirty-day challenge period has expired, a copy of all incorrect registrations will be forwarded to the Bureau of Motor Vehicles where the appropriate corrections and adjustments will be made.

Dalene M. Pride will conduct the audits and will deliver copies of the "Taxing District/Township Audit Findings Report" forms to the appropriate taxing districts and to the Bureau of Motor Vehicles.

The City of North Royalton will pay Dalene M. Pride the sum of Three Dollars and Fifty Cents (\$3.50) for each incorrect non-IRP license registration and \$10.00 for each IRP truck registration forwarded to the Bureau of Motor Vehicles for correction and adjustment.

North Royalton, Ohio, wishes to have the months of January through December, 2015 and 2016, audited pursuant to this Agreement.

This Agreement is entered into this _____ day of _____, 2016.



Dalene M. Pride

City of North Royalton

by _____

PURPOSE

It is hereby declared to be the purpose of this chapter to provide, within constitutional limitations, fair housing throughout the City of North Royalton, to assure that all persons have full and equal opportunity to consider all available housing for themselves and their families within the City without discrimination based on race, color, religion, sex, familial status, ancestry, national origin, disability, military status, and to promote a stable, racially integrated community.

628.01 DEFINITIONS.

As used in this chapter:

(a) "Chairperson" means the Chairperson of the Fair Housing Review Board, established pursuant to Section 628.06.

(b) "Discriminate" includes segregate or separate.

(c) "Fair Housing Review Board" means the board established by Section 628.06.

(d) "Familial status" means the status of one or more individuals: *(1)* who have not attained the age of eighteen years and who are domiciled with a parent or another person having legal custody of such individual or individuals, or with the designee of such parent or other person having such custody, with the written permission of such parent or other person; *(2) any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen.*

(e) "Handicap" ~~"Disability"~~ means ~~a medically diagnosable, abnormal condition which is expected to continue for a considerable length of time, whether correctable or uncorrectable by good medical practice, which can reasonably be expected to limit the person's functional ability, including, but not limited to, seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, sitting, rising or any related function, or any limitation due to weakness and significantly decreased endurance, so that he or she cannot perform his or her everyday routine living and working without significantly increased hardship and vulnerability to what are considered the everyday obstacles and hazards encountered by the nonhandicapped.~~ "Handicap" also means a physical or mental impairment which substantially limits one or more of such person's major life activities, *including the functions of caring for one's self such as: performing manual tasks , walking, seeing, hearing, speaking, breathing, learning, and/or working.* ~~but "handicap"~~ Disability does not include current illegal use of, or addiction to, a controlled substance, *as defined in 21 U.S.C. 802.*

(f) "Housing accommodations" or "housing" includes any building or structure, or portion thereof, which is used or occupied or is intended, arranged or designed to be used or occupied, as the home residence or sleeping place of one or more individuals, groups or families, whether or not living independently of each other; any vacant land offered for sale or lease; and any housing accommodations held or offered for sale or rent by a real estate broker, salesperson or agent, by any other person pursuant to authorization of the owner, by the owner or by such person's legal representative.

(g) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers and other organized groups of persons. "Person" also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesperson, agent, employee or lending institution.

628.02 UNLAWFUL DISCRIMINATORY HOUSING PRACTICES.

(a) It shall be an unlawful discriminatory housing practice for any person to:

(1) Refuse to sell, transfer, assign, rent, lease, sublease or finance housing accommodations; refuse to negotiate for the sale or rental of housing accommodations; or otherwise deny or make unavailable housing accommodations, because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ *disability, military status* or national origin of any prospective owner, occupant or user of the housing;

(2) Represent to any person that housing is not available for inspection, sale or rental, when in fact it is available, because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ *disability, military status* or national origin of any prospective owner, occupant or user of the housing;

(3) Refuse to lend money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing or otherwise withhold financing of housing from any person because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin of any present or prospective owner, occupant or user of the housing, or because of the racial composition of the neighborhood in which the housing is located, provided that the person, whether an individual, corporation or association of any type, lends money as one of the principal aspects of or incident to his or her principal business and not only as a part of the purchase price of an owner-occupied residence he or she is selling nor merely casually or occasionally to a relative or friend;

(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or subleasing of any housing, or in furnishing facilities, services or privileges in connection with the ownership, occupancy or use of any housing, including the sale of fire, extended coverage or homeowner's insurance, because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin of any present or prospective owner, occupant or user of the housing, or because of the racial composition of the neighborhood in which the housing is located;

(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing, because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin of any present or prospective owner, occupant or user of the housing, or because of the racial composition of the neighborhood in which the housing is located;

(6) Refuse to consider without prejudice the combined income of both husband and wife for the purpose of extending mortgage credit to a married couple or either member thereof;

(7) Print, publish or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease or acquisition of housing or the loan of money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing, which statement or advertisement indicates any preference, limitation, specification or discrimination based upon race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin, or an intention to make any such preference, limitation, specification or discrimination;

(8) Except as otherwise provided in this paragraph, make any inquiry, elicit any information, make or keep any record or use any form of application containing questions or entries concerning race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin in connection with the sale or lease of any housing or the loan of any money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing. Any person may make inquiries and make and keep records concerning race, color, religion, sex, familial status, ancestry, handicap or national origin for the purpose of monitoring compliance with this chapter.

(9) Include in any transfer, rental or lease of housing any restrictive covenant, or honor or exercise, or attempt to honor or exercise, any restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this paragraph;

(10) Induce or solicit, or attempt to induce or solicit, a housing listing, sale or transaction by representing that a change has occurred or may occur with respect to the racial, religious, sexual or ethnic composition of the block, neighborhood or area in which the property is located, or induce or solicit, or attempt to induce or solicit, such sale or listing by representing that the presence or anticipated presence of persons of any race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin in the area will or may have results such as the following:

- A. The lowering of property values;
- B. A change in the racial, religious, sexual or ethnic composition of the block, neighborhood or area in which the property is located;
- C. An increase in criminal or antisocial behavior in the area; or
- D. A decline in the quality of the schools serving the area;

(11) Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting housing accommodations, or discriminate against any person in the terms or conditions of

such access, membership or participation, on account of race, color, religion, sex, familial status, national origin, ~~handicap~~ **disability**, **military status** or ancestry;

(12) Coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person's having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this section;

(13) Discourage or attempt to discourage the purchase by a prospective purchaser of a housing unit, by representing that any block, neighborhood or area has undergone or might undergo a change with respect to the religious, racial, sexual or ethnic composition of the block, neighborhood or area;

(14) Discriminate in any manner against any other person because that person has opposed any unlawful practice defined in this section, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing under Ohio R.C. 4112.01 to 4112.07;

(15) Aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful discriminatory housing practice; obstruct or prevent any person from complying with Ohio R.C. 4112.01 to 4112.11, or any order issued thereunder; or attempt, directly or indirectly, to commit any act declared by this section to be an unlawful discriminatory housing practice; or

(16) Discriminate against any person in appraising the value of any housing in connection with its sale or rental because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin of the person, or because of the racial composition of the neighborhood in which the housing is located.

(b) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the second degree for a first offense and a misdemeanor of the first degree for a second or subsequent offense. Punishment shall be as provided in Section 698.02.

628.03 REAL ESTATE STEERING.

(a) No person who receives or expects to receive pecuniary gain from the sale or rental of housing accommodations shall:

(1) Influence or attempt to influence any other person who purports or represents himself or herself to be a prospective purchaser, occupant or tenant of housing accommodations to refrain from purchasing or renting housing accommodations by referring to race, color, sex, familial status, religion, national origin, ~~handicap~~ **disability**, **military status** or ancestry of occupants or prospective occupants of other housing accommodations in the neighborhood;

(2) Influence or attempt to influence, by any word, act or failure to act, any person who purports or represents himself or herself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations, in connection with the sale or rental of housing accommodations, so as to promote or attempt to promote the continuance or maintenance of segregated housing or so as to retard, obstruct or discourage integrated housing on or in any street, block or neighborhood; or

(3) Discriminate against any person who purports or represents himself or herself to be a prospective seller, purchaser, occupant, landlord or tenant of housing accommodations, by any influence, suggestion, act or failure to act, or accord any differential treatment among such persons, in connection with the sale or rental of housing accommodations or in the furnishing of information, services or facilities relative thereto, because of the race, color, religion, sex, familial status, ancestry, ~~handicap~~ **disability**, **military status** or national origin of any person.

(b) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the second degree for a first offense and a misdemeanor of the first degree for a second or subsequent offense. Punishment shall be as provided in Section 698.02.

628.04 INTIMIDATION IN CONNECTION WITH HOUSING.

(a) No person, whether or not acting under color of law, shall, by force or threat of force, willfully injure, intimidate or interfere with, or attempt to injure, intimidate or interfere with any of the following:

(1) Any person because of race, color, religion, sex, familial status, as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, disability, as defined in that section, or ancestry and because that person is or has been selling, purchasing, renting, financing, occupying, contracting or negotiating for the sale, purchase, rental, financing or occupation of any housing accommodations, or applying for or participating in any service, organization or facility relating to the business of selling or renting housing accommodations;

(2) Any person because that person is or has been doing, or in order to intimidate that person or any other person or any class of persons from doing either of the following:

A. Participating, without discrimination on account of race, color, religion, sex, familial status, as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, disability, as defined in that section, or ancestry, in any of the activities, services, organizations or facilities described in paragraph (a)(1) hereof;

B. Affording another person or class of persons opportunity or protection so to participate.

(3) Any person because that person is or has been, or in order to discourage that person or any other person from, lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, familial status, as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, handicap, as defined in that section, or ancestry, in any of the activities, services, organizations or facilities described in paragraph (a)(1) hereof, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.

(b) Whoever violates subsection (a) hereof is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.
(ORC 2927.03)

628.05 EXCEPTIONS TO CHAPTER.

(a) Nothing in this chapter shall bar any religious or denominational institution or organization, or any nonprofit, charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting the sale, rental or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference in the sale, rental or occupancy of such dwellings to persons of the same religion, unless membership in the religion is restricted on account of race, color or national origin. Nothing in this chapter shall bar any bona fide private or fraternal organization which, incidental to its primary purpose, owns or operates lodging for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.

(b) Nothing in this chapter shall be construed to require any person selling or renting property to modify such property in any way or to exercise a higher degree of care for a person having a ~~handicap~~ **disability**, nor shall it be construed to relieve any ~~handicapped~~ person **having a disability** of any obligation generally imposed on all persons regardless of ~~handicap~~ **disability** in a written lease, rental agreement or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of the lease, agreement or contract.

(c) Nothing in this chapter requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals.

(d) Nothing in this chapter limits the applicability of any reasonable local, State or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling. Nothing in this chapter regarding familial status shall apply to dwellings provided under any State or Federal programs specifically designed and operated to assist elderly persons, as defined in the State and Federal program, or to housing for older persons. As used in this chapter, "housing for older persons" means housing communities

consisting of dwellings intended for, and at least ninety percent occupied by, at least one person fifty-five years of age or older per unit, and providing significant facilities and services specifically designed to meet the physical or social needs of such persons, or intended for and occupied solely by persons sixty-two years of age or older.

628.06 FAIR HOUSING REVIEW BOARD.

(a) Establishment; Powers.

(1) There is hereby established a four member Fair Housing Review Board which shall consist of the Chairperson of the Building and Building Codes Committee of Council and three members appointed by the Mayor with the approval of Council. One of the three members appointed by the Mayor shall be a licensed realtor or a person who, by profession and experience has substantial knowledge of the sale of real estate in the City. Such person appointed by the Mayor shall be a nonvoting member of the Board. Appointments to the Board shall be for ~~two~~ **three** years, ***or until his or her successor is duly qualified and appointed, and may be reappointed by the proper authority and procedure.*** The Chairperson of the Building and Building Codes Committee of Council shall be the Chairperson of the Board.

(2) The Board shall have the responsibility to administer this chapter and to adjudicate complaints alleging violations of this chapter. The Board shall have and may exercise the following powers to implement purposes of this chapter:

A. To hold adjudicative hearings, make findings of fact, issue orders, enforce such orders and seek judicial and/or administrative relief with respect to any such complaints in accordance with this chapter;

B. To subpoena witnesses, compel their attendance, administer oaths, take sworn testimony and, in connection therewith, require the production for examination of any documents relating to any matter under investigation or in question before the Board, and enforce such powers by proper petition to any court of competent jurisdiction;

C. To adopt such rules and regulations as the Board may deem necessary or desirable for the conduct of its business and to carry out the purposes of this chapter;

D. To do such other acts as are necessary and proper to perform those duties with which the Board is charged under this chapter, including the provision of referral services for the community;

~~E. To collect, analyze and study the results of investigations made under this chapter and report to the Mayor and Council, on or before January 31 of each calendar year, on the working of this chapter and for the purpose of advising on and recommending amendments to this chapter in order to effectuate its purposes;~~

~~F. To conduct a continuing program of education and community organization in the several sections of the City;~~

~~E.G.~~ To initiate an investigation without the filing of an official complaint, provided a majority of the Board elects to proceed based on reasonable cause to believe that violations of this chapter are occurring or have occurred. The Board shall have the same powers following this initiated investigation as it has with an investigation based on the filing of a complaint.

~~F.H.~~ To enter into cooperative agreements with other governmental agencies to effectuate the purposes of this chapter; and

~~F.I.~~ To refer persons allegedly aggrieved by unlawful discriminatory housing practices to the Ohio Civil Rights Commission or other governmental or private agencies, as appropriate.

H. Under the direction of the Fair Housing Board, the Safety Director shall serve as the Fair Housing Administrator and shall:

1. Collect, analyze and study the results of investigations made under this chapter and report to the Mayor and Council, on or before January 31 of each calendar year, on the working of this chapter and for the purpose of advising on and recommending amendments to this chapter in order to effectuate its purposes;

2. ***Conduct a continuing program of education and community involvement, and other programs affirmatively furthering fair housing;***

3. ***Conduct initial investigation and fact finding of complaints or allegations of any violation of this chapter.***

(b) Complaints. Any person claiming to be aggrieved by a violation of this chapter, hereinafter referred to as the complainant, may file a complaint, in writing and under oath, with the Board. The complaint shall state the name and address of the person alleged to have committed the violation, hereinafter referred to as the respondent, and such other information as the Board may require. The complaint shall not constitute a public record unless and until a hearing is held pursuant to subsection (d) hereof. The complaint shall be filed within 180 days after the alleged act of discrimination.

(c) Investigations.

(1) The ~~Board~~ ***Safety Director*** shall cause a prompt investigation ~~the complaint to be~~ commenced within ten days after the filing of the complaint. The ~~Board~~ ***Safety Director*** may be assisted in the investigation by a fair housing agency or other organization or person under contract with the City. ***The Safety Director shall promptly report to the Board the findings of the investigation.***

(2) If the Board determines after a preliminary investigation that it is probable that an unlawful discriminatory housing practice has been or is being engaged in, it shall endeavor, with the consent of both the complainant and the respondent, to eliminate the alleged discriminatory housing practice by conference, conciliation and persuasion. If successful, the terms of the conciliation shall be reduced to writing and incorporated into a consent agreement to be signed by the complainant, the respondent and the Chairperson.

(3) If conciliation is not undertaken pursuant to paragraph (c)(2) hereof, or if conciliation is undertaken without success, and if the Board determines through its investigation that probable cause exists for believing the allegations of the complaint, the Chairperson shall cause a written notice and a copy of the complaint to be served on the respondent. The notice shall specify a time and place for a public hearing on the allegations of the complaint. Notwithstanding the previous sentence, the Board, with consent of both the complainant and the respondent, may make findings and issue appropriate orders without the necessity of a public hearing on the complaint.

(d) Hearings.

(1) A public hearing shall be held not less than ten nor more than thirty days from the service of such written notice. The respondent may file a written verified answer to the complaint. The parties may present testimony in person or otherwise, with or without counsel, at the hearing. The Board or the complainant shall have the power, reasonably and fairly, to amend any complaint, and the respondent shall have like power to amend his or her answer. The Board shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and recorded.

(2) The parties may apply to the Board to have subpoenas issued in the Board's name. Failure to comply with a subpoena shall constitute a violation of this chapter. The parties may file such statements with the Board as they deem necessary. Not fewer than three of the same members of the Board must be present at all times during a hearing. The parties may appear before the Board in person or by duly authorized representative and may be represented by legal counsel. The parties may present witnesses, and all testimony and evidence shall be given under oath or by affirmation.

(e) Decisions.

(1) Where a hearing has been held before the Board, only those members of the Board who have attended the hearing on the complaint shall participate in the determination of the complaint. Within fifteen days of the close of the hearing, the decision shall be rendered in the form of a written order, which order shall include findings of fact, a statement of whether or not the respondent is in violation of this chapter and such remedial actions as the Board may order. The order shall be served upon the parties by certified mail within fifteen days of the date of the decision. The order shall be available for public inspection and a copy shall be provided to any person upon request and payment of reproduction costs.

(2) If, at the conclusion of the hearing, the Board determines, upon the preponderance of the evidence, that the respondent has engaged or is engaging in any unlawful discriminatory practice, it shall issue such order as the facts warrant and shall state its findings of fact in support thereof. Such order may include:

A. That the respondent forthwith permit the complainant such right or privilege as constituted the subject of the complaint;

B. That the respondent perform an affirmative act that would otherwise have been performed had the complainant not been discriminated against because of race, color, religion, sex, familial status, ancestry, handicap or national origin; or

C. That the respondent comply with such other or further relief as the Board may deem appropriate for the enforcement of this chapter.

(3) If there are reasonable grounds to believe that a violation of this chapter has not occurred, then the Board shall dismiss the complaint by preparing a written notice of dismissal, including the reasons therefor, and shall notify the parties of the dismissal within five days by serving a copy of the notice of dismissal, by certified mail, on the parties. A copy of the notice shall also be filed with the Board. The notice of dismissal shall advise the complainant of his or her right of appeal under this section. Within fourteen days of receipt of the notice of dismissal, the complainant may appeal by filing a written request with Council for a review of the complaint by Council as a whole. By a majority vote, Council may overrule the dismissal and refer the complaint to the Board for a hearing pursuant to this section.

(4) If the respondent fails, within a reasonable time, to comply with an order issued by the Board, it shall certify the case, together with the record of its proceedings and the available evidence of noncompliance, to the Director of Law for appropriate action on behalf of the City to effectuate the purpose of this chapter.

(f) Penalty. Whoever violates paragraph (d)(2) hereof is guilty of a misdemeanor of the fourth degree. Punishment shall be as provided in Section 698.02.

628.07 INJUNCTIVE RELIEF.

At any time after the Fair Housing Review Board has determined, pursuant to Section 628.06, that there are reasonable grounds to believe that a violation of Section 628.02 or 628.03 has occurred, the Chairperson may request the Director of Law to petition the appropriate court for temporary relief pending a final determination of the proceedings under this chapter, including an order or decree restraining the respondent from doing or causing any act which would render ineffectual any order or action made pursuant to this chapter by the Board.

(Ord. 1988-176. Passed 10-3-88.)

628.08 CIVIL ACTIONS.

Whenever the Fair Housing Review Board has reasonable cause to believe that any person is engaged in a pattern or practice of resistance to a person's full enjoyment of the rights granted by Section 628.02 or 628.03, or that any group of persons has been denied any of the rights granted by such sections and the denial raises an issue of public importance, the Board may refer the matter to the Director of Law for commencement of a civil action in a court of competent jurisdiction on behalf of the City. The Director may seek any relief considered necessary to ensure the full enjoyment of the rights granted by this chapter.

628.09 OTHER LEGAL ACTION.

This chapter shall not prevent the City or any person from exercising any right or seeking any remedy to which that person might otherwise be entitled, or from filing any complaint with any other agency or court of law or equity. If a court determines that there has been a violation of this chapter, it may award compensatory damages and, where appropriate, punitive damages and attorneys' fees. The court may also order such other relief as it deems appropriate.

628.10 APPLICATION OF CHAPTER.

This chapter shall apply to all housing accommodations located within the territorial limits of the City.

