



November 2019

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

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

December 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 COUNCIL AND CAUCUS 7:00	4 PLANNING COMMISSION 7:00 CAUCUS 6:45	5	6	7
8	9 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	10	11	12	13	14
15	16	17 FAIR HOUSING MTG 5:00 COUNCIL AND CAUCUS 7:00	18	19 BZA 7:00 CAUCUS 6:45	20	21
22	23	24 <i>CHRISTMAS EVE</i> 	25 <i>CHRISTMAS DAY</i>	26	27	28
29	30	31 <i>NEW YEAR'S EVE</i>				

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

**NORTH ROYALTON CITY COUNCIL
A G E N D A
NOVEMBER 19, 2019**

7:00 p.m. Caucus

Council Meeting 7:00 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: November 6, 2019
 - b. Authorize the release of the sidewalk bond for Timberlane Estates Phase 4 as approved by the City Engineer.
 - c. 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	Dan Langshaw
Storm Water	Gary Petrusky
Streets	Cheryl Hannan
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

THIRD READING CONSIDERATION

1. **19-86 - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF PERMANENT PARCEL NUMBER 489-19-007 FROM ITS PRESENT LOCAL BUSINESS (LB) ZONING CLASSIFICATION TO GENERAL BUSINESS (GB) ZONING CLASSIFICATION AS REQUESTED BY PROPERTY OWNER DAVID J. LIDDY, AND DECLARING AN EMERGENCY. First reading October 15, 2019 and referred to Building and Building Codes Committee and Planning Commission. Amended October 15, 2019. Planning Commission Public Hearing November 7, 2019. Planning Commission recommended approval November 7, 2019.**

SECOND READING CONSIDERATION

1. **19-91** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON PART 4 TRAFFIC CODE, CHAPTER 476 SNOWMOBILES AND ALL PURPOSE VEHICLES, SECTION 476.03, AND PART 6 GENERAL OFFENSES CODE, CHAPTER 606 GENERAL PROVISIONS; ADMINISTRATION AND ENFORCEMENT, SECTION 606.10, CHAPTER 612 ALCOHOLIC BEVERAGES, SECTION 612.12, CHAPTER 618 ANIMALS, SECTION 618.12, CHAPTER 630 GAMBLING, SECTION 630.01, CHAPTER 634 NOISE CONTROL, SECTION 634.04, CHAPTER 642 OFFENSES RELATED TO PROPERTY, SECTION 642.01, CHAPTER 648 PEACE DISTURBANCES SECTION 648.11, CHAPTER 672 WEAPONS AND EXPLOSIVES, SECTIONS 672.01, 672.02, 672.03, 672.04, 672.06, 672.07, 672.12, 672.14, AND 672.15, AND REPEALING, PART 6 GENERAL OFFENSES, CHAPTER 672 WEAPONS AND EXPLOSIVES, SECTIONS 672.05, 672.085, AND 672.11 RELATING TO THE OWNERSHIP, POSSESSION, PURCHASE, OTHER ACQUISITION, TRANSPORT, STORAGE, CARRYING, SALE, OTHER TRANSFER, MANUFACTURE, TAXATION, KEEPING, AND REPORTING OF LOSS OR THEFT OF FIREARMS, THEIR COMPONENTS, AND THEIR AMMUNITION, AND DECLARING AN EMERGENCY. **First reading November 6, 2019 and referred to Safety Committee.**
2. **19-96** - AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH ROYALTON, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020. **First reading November 6, 2019 and referred to Finance Committee.**

FIRST READING CONSIDERATION

- * 1. **19-98** - A RESOLUTION ACKNOWLEDGING THE COMMUNITY SERVICE OF LAURA J. HALLER
- * 2. **19-99** - A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE ALL TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES COLLECTED IN 2020 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
3. **19-100** - 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.
4. **19-101** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION CODE, CHAPTER 230 MAYOR, BY CREATING A NEW SECTION 230.045 CLERK OF COURT, AND DECLARING AN EMERGENCY.
5. **19-102** - AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 1 BUILDING DEPARTMENT, SECTION 8 LAW DEPARTMENT, AND SECTION 12 MAYOR'S OFFICE, AND DECLARING AN EMERGENCY
6. **19-103** - AN ORDINANCE AMENDING ORDINANCE 18-128, ESTABLISHING RATES OF COMPENSATION FOR THE CITY OF NORTH ROYALTON NON-UNION EMPLOYEES DURING CALENDAR YEAR 2019, AND DECLARING AN EMERGENCY.
7. **19-104** - AN ORDINANCE AMENDING ORDINANCE 14-141 ESTABLISHING VARIOUS BENEFITS FOR REGULAR PART TIME EMPLOYEES OF THE CITY OF NORTH ROYALTON, SECTION 7, AND DECLARING AN EMERGENCY.
8. **19-105** - AN ORDINANCE APPROVING A WRITTEN POST-ISSUANCE COMPLIANCE POLICY IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT AND TAX-PREFERRED OBLIGATIONS BY THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
14. Adjournment.

RESOLUTION NO. 19-98

INTRODUCED BY: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Hannan, Kasaris, Mayor Stefanik

A RESOLUTION ACKNOWLEDGING THE
COMMUNITY SERVICE OF LAURA J. HALLER

WHEREAS: Laura J. Haller was hired as the Director of Legislative Services for the City of North Royalton on November 1, 1989 and served in this capacity until her retirement on October 31, 2019; and

WHEREAS: The Council and the Mayor of the City of North Royalton wish to acknowledge Ms. Haller for her community service.

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 Council and the Mayor of the City of North Royalton hereby acknowledge the community service of Laura J. Haller.

Section 2. Council further recognizes the professionalism and dedication that Ms. Haller has demonstrated through her work for the City of North Royalton and through her willingness and desire to better serve the community.

Section 3. The Director of Legislative Services is authorized and directed to forward a copy of this Resolution to Ms. Haller in recognition of her many years of service to the community.

THEREFORE, provided this Resolution receives the affirmative vote of a majority of all members elected to Council, it shall take effect and be in force 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:

ORDINANCE NO. 19-100

INTRODUCED BY: Antoskiewicz, Petrusky, Marnecheck
Co-Sponsor: Langshaw

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

WHEREAS: The Director of Finance has recommended that the city enter into an agreement with Dalene M. Pride, an independent governmental affairs consultant, as an efficient and economical means to audit certain Ohio Bureau of Motor Vehicles (“BMV”) records for tax revenue purposes; and

WHEREAS: The audits will include the BMV’s registration records of selected Ohio taxing districts to determine if all registrations have been correctly allocated. 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 BMV; and

WHEREAS: Council desires to grant this recommendation and authorize the Mayor to enter into such an agreement, a sample copy of which is attached hereto as Exhibit “A”.

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

Section 1. Council hereby authorizes the Mayor to enter into an agreement with Daline M. Pride to audit certain Ohio Bureau of Motor Vehicles (“BMV”) records for tax revenue purposes, pursuant to terms and conditions as approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 2. 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.

Section 3. This Ordinance 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 enter into an agreement with Daline M. Pride to audit certain Ohio Bureau of Motor Vehicles (“BMV”) records for tax revenue purposes.

THEREFORE, provided this Ordinance 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:



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

October 29, 2019

Hello!

The motor vehicle registration audits continue!

I've enclosed a copy of your new audit agreement. The terms remain the same as your previous agreement...the only changes are the dates.

Please sign and return a copy to me (email is fine...dalenep@att.net). If you have questions, contact me anytime.

Thanks so much...

RECEIVED

OCT 31 2019

NORTH ROYALTON
FINANCE DEPARTMENT



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 an audit of certain Ohio Bureau of Motor Vehicles records for, and on behalf of, North Royalton, Cuyahoga County, Ohio. The audits will include the following:

The Bureau of Motor Vehicles registration records of various municipalities will be audited and all registrations of North Royalton residents and businesses 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.

North Royalton, Ohio, 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, 2019 and 2020 audited pursuant to this Agreement.

This Agreement is entered into this _____ day of _____, 2019.


 Dalene M. Pride

North Royalton, Ohio

by _____

ORDINANCE NO. 19-102

INTRODUCED BY: Antoskiewicz, Marnecheck
Co-Sponsor: Langshaw

AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 1 BUILDING DEPARTMENT, SECTION 8 LAW DEPARTMENT, AND SECTION 12 MAYOR'S OFFICE, AND DECLARING AN EMERGENCY

WHEREAS: In an effort to better serve the community, the Administration has proposed the restructuring of various departments to ensure that they are functioning as efficiently as possible; and

WHEREAS: It is therefore necessary to amend Ordinance 10-103 to allow for these changes; and

WHEREAS: Council desires to provide for this amendment.

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

Section 1. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 1 Building Department, which shall hereinafter read as follows:

Section 1. The **Building Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

<u>CLASSIFICATION (Job Title)</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>
1) Building Commissioner	One (1)
or	
2) Building Official (part-time)	One (1)
3) Certified Inspector	Two (2) Three (3)
4) Inspector (part-time)	Three (3)
5) Admin. Secretary/Clerical	One (1) Two (2)
6) Summer/Part time/Vacation Clerical	Two (2)
7) Office Manager/ Confidential Secretary	One (1)

Section 2. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 8 Law Department, which shall hereinafter read as follows:

Section 8. The **Law Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

<u>CLASSIFICATION (Job Title)</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>
1) Director of Law	One (1)
2) Assistant Law Director/First Assistant Prosecutor	One (1)
3) Second Assistant Prosecutor	One (1)
4) Confidential Secretary, part time	One (1)
5) Human Resources Specialist, Civil Service and Benefits Coordinator (part time)	One (1)

Section 3. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 12 Mayor's Office, which shall hereinafter read as follows:

Section 12. The **Mayor's Office** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

<u>CLASSIFICATION (Job Title)</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>
1) Safety Director	One (1)
2) Executive Assistant/ Clerk of Courts Civil Service Secretary	One (1)
3) Clerk of Court	One (1)
4) 3) Deputy Clerk of Court	Two (2)
5) 4) Admin. Secretary/Clerical	One (1)
6) 5) Confidential Secretary	One (1)
7) 6) Custodial-Part Time	One (1)
8) 7) Public Defender	One (1)
9) 8) Magistrate	One (1)

**CITY OF NORTH ROYALTON
Non-Union Wage Schedule**

<u>Classification (Job Title)</u>	2019		
	Entry	2nd Year	3rd Year
<u>Architectural Review Board</u>			
Secretary (part-time)	\$ 17.34	\$ 18.14	\$ 18.89
<u>Board of Zoning Appeals</u>			
Secretary	\$ 17.34	\$ 18.14	\$ 18.89
<u>Building Department</u>			
Building Commissioner	\$ 41.56	not to exceed	\$ 48.48
Office Manager/ Confidential Secretary	\$ 20.93	\$ 23.74	\$ 24.80
Inspector - Part-Time	\$ 29.65		
Building Official (part-time)	\$ 46.40		
<u>City Hall</u>			
Clerical III Floater (part-time)	\$ 19.92	\$ 20.82	\$ 21.60
<u>Council Office</u>			
Confidential Secretary	\$ 20.93	\$ 23.74	\$ 24.80
Administrative Secretary IV	\$ 22.00	\$ 22.87	\$ 23.74
Recording Secretary (part-time)	\$ 17.34	\$ 18.14	\$ 18.89
<u>Finance Department</u>			
Accounting Administrator	\$ 23.22	\$ 24.37	\$ 25.57
Payroll and Accounting Administrator	\$ 22.92	\$ 24.08	\$ 25.27
<u>Fire Department</u>			
Fire Safety Inspector (part-time)	\$ 25.75		
Summer Help Laborer (part-time)	\$ 12.10		
<u>Law Department</u>			
Assistant Law Director	\$ 46.49	not to exceed	\$ 54.24
Human Resources Specialist/ Civil Service (part-time)	\$ 24.32	\$ 25.32	\$ 27.41
Confidential Secretary-(part time)	\$ 20.93	\$ 23.74	\$ 24.80
<u>Mayor's Office</u>			
Executive Assistant/ Civil Service			
Secretary- Clerk of Courts	29.57	\$ 30.79	\$ 32.09
Deputy Clerk of Court	\$ 20.93	\$ 23.74	\$ 24.80
Confidential Secretary	\$ 20.93	\$ 23.74	\$ 24.80
Administrative Secretary IV	\$ 22.00	\$ 22.87	\$ 23.74
Clerical III	\$ 19.92	\$ 20.82	\$ 21.60
Clerical II	\$ 18.10	\$ 18.96	\$ 19.78

24.80-
27.86

27.41-
30.41

23.74-
26.20

Clerical I	\$ 15.99	\$ 16.85	\$ 17.71
Custodial (part-time)	\$ 18.82		
Clerk of Court	24.80		27.86
<u>Office on Aging</u>			
Director (part time)	\$ 29.27	not to exceed	\$ 34.51
Senior Center Manager/Outreach Specialist	\$ 20.65	\$ 23.11	\$ 25.11
Bus Driver (part-time)	\$ 11.68	\$ 12.15	\$ 12.66
<u>Police/Fire Department</u>			
Confidential Secretary	\$ 20.93	\$ 23.74	\$ 24.80
IT Systems Administrator/LAN Manager	\$ 41.56	not to exceed	\$ 48.48
<u>Recreation Department</u>			
Summer Help Laborer (part-time)	\$ 12.10		
Laborer (part-time)	\$ 13.13	\$ 13.64	\$ 14.11
Tractor/Truck Operator (part-time)	\$ 15.61		
<u>Service Department</u>			
Service Superintendent	\$ 41.56	<i>not to exceed</i>	\$ 48.48
Stormwater Superintendent	\$ 41.56	<i>not to exceed</i>	\$ 48.48
Summer Help Laborer (part-time)	\$ 12.10		
Laborer (part-time)	\$ 14.92		
<u>Wastewater Department</u>			
Assistant Superintendent - Operations	\$ 41.56	<i>not to exceed</i>	\$ 48.48
Assistant Superintendent - Maintenance	\$ 41.56	<i>not to exceed</i>	\$ 48.48
Project Manager, temporary part time	\$ 41.82	<i>not to exceed</i>	\$ 47.05
<u>Miscellaneous</u>			
Clerical I (part-time)	\$ 15.99		
Laborer (part-time/city-wide)	\$ 13.13		
Summer Help Laborer (city wide)	\$ 12.10		
Casual Help	\$ 9.65		



ORDINANCE NO. 19-104

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AMENDING ORDINANCE 14-141 ESTABLISHING VARIOUS BENEFITS FOR REGULAR PART TIME EMPLOYEES OF THE CITY OF NORTH ROYALTON, SECTION 7, AND DECLARING AN EMERGENCY

WHEREAS: Ordinance 14-141 established benefits for regular part time employees; and

WHEREAS: It is necessary to amend Ordinance 14-141 to further clarify the benefits available to this employment classification; and

WHEREAS: Council desires to provide for this amendment.

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

Section 2. Ordinance 14-141 is hereby amended by creating a new Section 7 which shall read as follows, and all subsequent sections of Ordinance 14-141 shall be renumbered accordingly:

Section 7. A regular part time employee who has in excess of ten (10) years of continuous service with the city and is eligible to receive payments from a state pension plan shall, upon retirement, receive a cash payment equal to his/her hourly rate of pay at retirement multiplied by one-half (1/2) the total number of accumulated and unused sick leave hours earned by the employee as certified by the Finance Director, not to exceed three hundred fifty (350) such sick leave hours.

The retirement sick leave cash payment benefit is also authorized for any similarly situated regular part time employee who is subject to the provisions of a collective bargaining agreement if agreed upon by the union and the city per a Memorandum of Understanding executed by both parties.

Section 3. Ordinance 14-141 is hereby amended as provided for herein and all other provisions of Ordinance 14-141 shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. 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.

Section 6. This Ordinance 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 amend Ordinance 14-141 by creating a new Section 7 to clarify those positions which qualify under the classification of regular part time employees.

THEREFORE, provided this Ordinance 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:

CITY OF NORTH ROYALTON, OHIO

POLICY AND PROCEDURES CONCERNING POST-ISSUANCE COMPLIANCE

- I. Purpose.** The City of North Royalton, Ohio (the “Issuer”) uses bonds as one means of financing capital projects in support of its mission. This Post-Issuance Compliance Policy (the “Policy”) outlines the policies and procedures to promote compliance with federal income tax and securities laws, as well as the requirements set forth in the bond documents for each bond issue. The policy is to strictly follow the U.S. Constitution and laws, the Ohio Constitution and laws, and all applicable federal and state regulations. For purposes of this policy, the terms “bonds” or “bond issue” means any obligation of the Issuer incurred for the purpose of borrowing money, including, without limitation, bonds, notes and certificates of participation in capital leases.
- II. Outside Counsel.** The Treasurer may, upon obtaining any necessary approvals, engage an attorney or firm of attorneys of national reputation on the subject of the federal tax and securities law of public finance to serve as “Outside Counsel” for the purpose of assisting the Issuer in the pursuit of its duties under this Policy. Outside Counsel may be bond counsel for the Issuer. Any such engagement shall be evidenced by the execution of an engagement letter or other written agreement between the Issuer and such Outside Counsel.
- III. Securities Law Matters – Continuing Disclosure**
- A. Continuing Disclosure Working Group. The Treasurer** (the “Disclosure Officer”) shall have primary responsibility for preparing the annual financial information and operating data (an “Annual Filing”) to be filed with the Municipal Securities Rulemaking Board (“MSRB”) via its Electronic Municipal Market Access (“EMMA”) system pursuant to operative continuing disclosure undertakings (the “Continuing Disclosure Undertakings”) entered into by the Issuer pursuant to Rule 15c2-12 (the “Rule”) promulgated under the Securities Exchange Act of 1934, as amended. Such Disclosure Officer, together with any Outside Counsel retained by the Issuer, shall constitute the “Continuing Disclosure Working Group.”
- B. Annual Financial Information and Operating Data.**
- Assembling Current Information.** The Disclosure Officer or the Continuing Disclosure Working Group shall compile, maintain and update a list of all financial information and operating data required to be filed with the MSRB pursuant to each of the Continuing Disclosure Undertakings, and shall establish a schedule for producing the data (and the Annual Filing document) that will afford sufficient time for final review by the Continuing Disclosure Working Group and approval in accordance with this Policy.
 - Review for Process, Accuracy, and Completeness.** The members of the Continuing Disclosure Working Group shall review the Annual Filing drafts to determine whether, based on information known or reported to them, (a) this Policy was followed, (b) the material facts in the Annual Filing appear to be consistent with those facts known to the members of the Continuing Disclosure Working Group, (c) the Annual Filing contains all information required by the Continuing Disclosure Undertakings, and (d) the Annual Filing omits any material fact that is necessary to be included to prevent the Annual Filing from being misleading to investors. The Disclosure Officer or the Continuing Disclosure Working Group shall take such action as may be necessary, based on feedback from the Continuing Disclosure Working Group, to enable the Continuing

Disclosure Working Group to conclude that this Policy was followed and that the Annual Filing is accurate and complete in all material respects.

3. **Final Approval.** The Continuing Disclosure Working Group shall approve the final draft of the Annual Filing.
4. **Posting.** The Disclosure Officer or the Continuing Disclosure Working Group shall file each Annual Filing with the MSRB through EMMA by the deadline established by the Continuing Disclosure Undertakings. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to ensure that each Annual Filing is filed in the format and with the identifying information required by the Continuing Disclosure Undertakings, including applicable CUSIP numbers, in accordance with the rules and requirements of the EMMA system.
5. **Documentation of Procedures.** The Disclosure Officer shall compile and retain a file of the actions taken to prepare, check, and approve the Annual Filing, including the sources of the information included, the comments and actions of the Continuing Disclosure Working Group.

C. Event Notices

1. **Identification of Reportable Events.** The Disclosure Officer shall maintain a list of events of which the Issuer is required to provide notice to the MSRB pursuant to the Continuing Disclosure Undertakings. The Continuing Disclosure Working Group shall (a) identify the officers and employees of the Issuer who are most likely to first obtain knowledge of the occurrence of such events and (b) request in writing that they notify the Disclosure Officer immediately after learning of any such event, regardless of materiality, and repeat such request in a quarterly reminder.
2. **Identification of Financial Obligations; Materiality**
 - a. The Disclosure Officer shall undertake to identify any financial obligations, as defined in the Rule, to which the Issuer is a party and under the terms of which a default, event of acceleration, termination event, modification of terms, or other similar events could reflect financial difficulties on the part of the Issuer.
 - b. The Disclosure Officer shall prepare a summary sheet with respect to the financial obligations, as defined in the Rule, to which the Issuer is a party in substantially the form attached hereto as **Exhibit A** for the purpose of evaluating, together with the Continuing Disclosure Working Group, (i) whether the incurrence of any such financial obligation must be disclosed under the terms of any Continuing Disclosure Undertaking, or (ii) whether the agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation affects the security holders of the Issuer's securities and must be disclosed under the terms of any Continuing Disclosure Undertaking.
 - c. The Continuing Disclosure Working Group shall establish procedures for assessing the materiality of any financial obligation (including the materiality of any agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation) as well as whether a default, an acceleration or termination event, modification of terms or similar events under a financial obligation reflects financial difficulties.

3. **Preparation of Event Notice.** The Disclosure Officer shall assess the materiality of any reportable event with the assistance of Outside Counsel (reportable under the Continuing Disclosure Undertakings) and, if notice of the event (each an “Event Notice”) must be given (or if no materiality standard applies to that particular event), prepare or cause to be prepared an Event Notice giving notice of the event, and review the draft Event Notice with the Continuing Disclosure Working Group.
4. **Review and Approval of Event Notice.** The Disclosure Officer shall not file an Event Notice until it is approved by the Continuing Disclosure Working Group unless the Event Notice (a) only gives notice of a rating change, bond call, or defeasance or (b) such approval has not been received by the applicable filing deadline under the Rule and the Continuing Disclosure Undertakings.
5. **Posting.** The Disclosure Officer or the Continuing Disclosure Working Group shall file or cause to be filed each Event Notice with the MSRB through EMMA by the deadline established by the Rule and the Continuing Disclosure Undertakings or, if the facts cannot be correctly and fairly described by the deadline, then as soon as possible thereafter. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to file each Event Notice in the format and with the identifying information required by the Continuing Disclosure Undertakings, including CUSIP numbers, in accordance with the rules and requirements of the MSRB’s EMMA system.
6. **Documentation of Procedures.** The Disclosure Officer or the Continuing Disclosure Working Group shall compile and retain a file of the actions taken to report each event and prepare, check, and approve each Event Notice, including the approvals of the Continuing Disclosure Working Group, if obtained.

IV. Federal Tax Law Compliance

- A. **Tax Compliance Working Group. The Treasurer (the “Tax Compliance Officer”)** shall have primary responsibility for complying with the requirement of federal tax law with respect the bonds of the Issuer. Such Tax Compliance Officer, together with any Outside Counsel retained by the Issuer shall constitute the Tax Compliance Working Group.
- B. **Procedures.** The Tax Compliance Officer shall implement the following procedures in preparing, checking, or issuing the documentation described herein.
 1. **Proper Use of Proceeds.** The Tax Compliance Officer shall ensure that bond proceeds are allocated to expenditures in a manner that is consistent with the purpose for which each bond issue is undertaken, as set forth in any tax compliance certificate or agreement related to each bond issue. The Tax Compliance Officer shall undertake to make final allocations for federal income tax purposes of the of bond proceeds within 18 months after a financed facility is place in service but in no event later than 60 days following the fifth anniversary of the issuance of each bond issue.
 2. **Investment of Bond Proceeds and Rebate.** The Tax Compliance Officer shall ensure that bond proceeds are invested in investments that are permissible under the terms of the Ohio Revised Code, the bond documents, and any applicable federal tax laws. The Tax Compliance Officer shall determine whether it is appropriate to undertake rebate calculations with respect to the investment of

proceeds of the bonds shall ensure the timely completion of arbitrage rebate calculations and filings.

3. **Administration of Direct Pay Bonds.** The Tax Compliance Officer shall ensure the proper administration of each issue of bonds qualifying for the payment by the federal government of a credit equal to a percentage of interest on such bonds or calculated on some other basis, including the timely completion and filing of any forms required by the Internal Revenue Service to maintain or establish the applicable status of the bonds for purposes of federal income taxation.
4. **Use of Bond-Financed Facilities.** The Tax Compliance Officer shall consult with Outside Counsel before entering into any agreement or other arrangement for the sale, lease, or use of bond-financed property, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements. The Tax Compliance Officer or the designee of the Tax Compliance Officer shall review such agreements for compliance with federal tax laws and complete a Private Business Use Contract Review Worksheet (attached as **Exhibit B**) to document that such review has been completed.
5. **Post-Issuance Transactions.** The Tax Compliance Officer shall consult with Outside Counsel for the Issuer before making any modifications or amendments to the bond documents for a bond issue, including, but not limited to, entering or modifying investment agreements; making any change in security for the bonds; engaging in post-issuance credit enhancement transactions (*e.g.*, bond insurance, letter of credit) or hedging transactions (*e.g.*, interest rate swap, cap); terminating or appointing successor trustees; releasing any liens; or reissuing the bonds.
6. **Remedial Action.** In the event that it is determined that any use of bond proceeds or bond-financed facilities is inconsistent with the character of the status for federal income tax purposes of the bonds, the Tax Compliance Officer shall consult with Outside Counsel for the purpose of determining the nature and extent of any remedial action necessary or proper for the Issuer to take with respect to such bonds or bond-financed facilities according to Treasury Regulations Section 1.141-12 or other remedial actions authorized by the Commissioner of Internal Revenue under 1.141.12(h).

C. Recordkeeping. Responsibility for Records Maintenance

1. The Tax Compliance Officer shall be responsible for maintaining records related to bonds of the Issuer.
2. The Tax Compliance Officer shall maintain a central list of records related to each issue of bonds of the Issuer. The list shall identify:
 - a. The name and date of the document related to the issue,
 - b. The person or office responsible for the document, and
 - c. The physical or electronic location of the document.

D. Bond Records to be Maintained

1. The following records shall be maintained for each outstanding bond issue for the term of the outstanding bond issue plus three years:
 - a. Basic records relating to the bond transaction, including the trust indenture, loan, lease, or other financing agreement, the relevant IRS Form 8038 (including Forms 8038-G, 8038-GC, 8038-B, or 8038-TC, as applicable) with

proof of filing, and bond counsel opinion shall be maintained by the Tax Compliance Officer;

- b. Documentation evidencing the expenditure of bond proceeds, such as construction or contractor invoices and receipts for equipment and furnishings, as well as records of any special allocation made for tax purposes shall be maintained by the Tax Compliance Officer;
 - c. Documentation evidencing the lease or use of bond-financed property by public and private sources, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements shall be maintained by the Issuer office executing such agreement for use of bond-financed property; and
 - d. Documentation pertaining to investment of bond proceeds, including the yield calculations for each class of investments, actual investment income received from the investment of proceeds, and rebate calculations shall be maintained by the Tax Compliance Officer's Office.
2. The Tax Compliance Officer shall maintain the Issuer's audited financial statements for not less than seven years.

V. Training Requirements, Policy Review and Miscellaneous Matters

- A. Training.** Within six months of becoming the adoption of this Policy, and on an as-needed basis thereafter, the Tax Compliance Officer, the Disclosure Officer and the respective designees of any of them, if any, shall undergo training regarding basic federal securities law and tax concepts relating to bonds and records required to be maintained under this Policy.
- B. Annual Review.** On an annual basis, or sooner if deemed necessary by the Continuing Disclosure Working Group and the Tax Compliance Working Group, shall review this policy and assess the Issuer's compliance with this Policy and shall make changes to this Policy as appropriate to ensure compliance with any covenants in the bond documents or the requirements of federal tax and securities laws and any other applicable law.
- C. Miscellaneous**
 1. **Internal Use Only.** This Policy is intended for the internal use of the Issuer only and is not intended to establish any duties in favor of or rights of any person other than the Issuer.
 2. **Waiver of Procedures.** The officers and employees charged by this Policy with performing or refraining from any action may depart from this Policy when they in good faith determine that such departure is in the best interests of the Issuer and consistent with the duties of the Issuer under applicable laws. If a Disclosure Officer or Tax Compliance Officer is charged by this Policy with taking or refraining from such action, any such departure shall require approval review of Outside Counsel.

CITY OF NORTH ROYALTON, OHIO

FINANCIAL OBLIGATION SUMMARY SHEET

This form may be used to gather information necessary to evaluate whether a financial obligation is material and must be disclosed to via the Municipal Securities Rulemaking Board’s EMMA system. The information requested should be inserted below. In some cases, it may be appropriate to attach a schedule or copy the applicable section from the relevant documents.

The term *financial obligation* means a:

(A) Debt obligation; (B) Derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) Guarantee of either of the foregoing.

Such term does not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with SEC Rule 15c2-12.

Generally speaking, any obligation that is essentially a vehicle to borrow money (e.g., a lease-purchase agreement) should be considered a *financial obligation*.

1. Loan amount and date incurred	
2. Final maturity date of the loan	
3. Debt service schedule, if including principal amortization, interest rate(s), interest calculations (attach separate sheet if necessary)	
4. Legal security and/ source of payment	
5. Interest rate method of calculation, if variable	
6. Use of loan proceeds	
7. Covenants, events of defaults and remedies	
8. Amortization modification provisions, or information about payment acceleration or other non-standard payment considerations	
9. Any other information that an issuer believes to be important to lenders or investors in the obligations of the Issuer	

CITY OF NORTH ROYALTON, OHIO
PRIVATE BUSINESS USE CONTRACT REVIEW WORKSHEET

City Department: _____

Contracting Parties: _____

Type/Title of Agreement: _____

Agreement Not Subject to Private Use Limitation

- Relates solely to construction of bond-financed facility
Relates to property that was not financed with proceeds of a bond issue
Does not relate to use or function of property
Includes incidental services only (janitorial, office equipment repair, or similar services)
Compensation consists solely of reimbursement of actual and direct expenses incurred by the service provider while providing services under the agreement

Agreement Satisfies Safe Harbors for Management/Service Contracts with Outside Service Providers

If the arrangement with an outside service provider is not either an "Eligible Expense Reimbursement Arrangement" or an "Other Permissible Arrangement" (both as described below), then Bond Counsel should be consulted.

Eligible Expense Reimbursement Arrangement

To be an Eligible Expense Reimbursement Arrangement, the compensation paid to the outside service provider must consist solely of reasonable overhead and the reimbursement of actual and direct expenses paid by the outside service provider to unrelated parties.

Other Permissible Arrangement

To be an Other Permissible Arrangement, all six of the following elements must be present:

1. Financial Requirements

- Compensation payments to the service provider (including any reimbursement for actual and direct expenses paid by the service provider and related administrative overhead expenses) are reasonable compensation for services rendered during the term of the contract; and
The outside service provider does not share in the net profits of the managed facility; and
The outside service provider is not forced to share net losses from the operation of the managed facility.

2. Term of the Contract

_____ The term of the contract is no longer than the lesser of (i) 30 years, or (ii) 80% of the weighted economic life of the managed property, which term is retested as of the date of any material modification of the contract.

3. Control of the Managed Property

_____ The approval of the City is required for each of the following:

- _____ the annual budget of the managed property;
- _____ capital expenditures with respect to the managed property;
- _____ any disposition of the managed property or any portion thereof;
- _____ rates charged for use of managed property (or methodology for setting such rates); and
- _____ the general nature and type of use of the managed property (for example, the type of services).

4. Risk of Loss

_____ The City bears the risk of loss upon damage or destruction of the managed property.

5. Tax Position of Outside Service Provider

_____ The outside service provider expressly agrees that it is not entitled to and will not take any tax position that is inconsistent with being an outside service provider to the City with respect to the managed property.

6. Rights of the City

_____ The outside service provider does not have any role or relationship with the City that might limit the ability of the City to exercise its rights under the contract.

Agreement Requires Further Review by Bond Counsel

- _____ Ownership (including agreement that transfers title at end of the term)
- _____ Lease, license, or any other agreement which creates exclusive or priority rights to use any portion of a bond-financed property or which creates an economic benefit for the third-party user
- _____ Agreement with governmental entity or 501(c)(3) organization
- _____ Research agreement
- _____ Management or service contract falling outside safe harbors listed above (provide explanation)

Reviewer: _____

Date: _____