



AGENDA

Chagrin Falls Village Council

Monday

July 10, 2023

7:30 PM

| Village Hall | 21 W. Washington Street | 440-247-5050

This is a public meeting and all are welcome to attend. In-person meetings are held in Council Chambers at Village Hall.

Members of the public wishing to speak to agenda items must advise the Clerk of Council of their intent to do so by noon on the day of the Council Meeting.

1. Moment of Silence/Pledge of Allegiance
2. Roll Call and Action Concerning Absentees
3. Reading and Disposal of Minutes
4. Administrative Reports
 - a. Mayor William Tomko
 - b. Finance Director Angela Gerye
 - c. Law Director Dale Markowitz
 - d. Chief Admin. Officer Robert Jamieson
 - e. Engineer Tim Lannon
 - f. Police Chief Amber Dacek
 - g. Fire Chief Frank Zugan
5. Council Reports
 - a. Committee Reports and Approval of Minutes
 1. Admin & Comp Gutierrez
 2. Facilities & Services Rockey
 3. Finance Rogoff
 4. Safety Drum
 5. Streets & Sidewalks Grube
 6. Utilities Corkran
 - b. Commission Reports
 1. Arts DeBernardo
 2. BZA Rockey
 3. Cemetery Grube
 4. Grove Hill Rogoff
 5. Merchant Liaison DeBernardo
 6. Parks Drum
 7. Planning & Zoning Rogoff
 8. Shade Tree Rockey
6. Presentation to Council None
7. Public Hearing None
8. Members of the Public to Speak to Agenda Items (not to exceed 5 minutes per speaker)

9. Legislative Docket: Disposition of legislation, including any public hearings on legislation

a. **Ordinance No. 2023-37**

(Donation Policy)

AN ORDINANCE OF THE VILLAGE OF CHAGRIN FALLS TO ESTABLISH A DONATION POLICY.

- Introduced by: Rogoff (Finance)
- 2nd Reading (07/10/23), 1st Reading (06/26/23)

b. **Resolution No. 2023-41**

(Alternative Tax Budget 2024)

A RESOLUTION ADOPTING THE CHAGRIN FALLS ALTERNATIVE TAX BUDGET FOR FISCAL YEAR 2024 AND DECLARING AN EMERGENCY.

- Introduced by: Rogoff (Finance)
- 1st Reading (07/10/23)

c. **Ordinance No. 2023-42**

(Amending Appropriations)

AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF CHAGRIN FALLS FOR THE YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.

- Introduced by: Rogoff (Finance)
- 1st Reading (07/10/23)

10. Members of the Public to Speak to Any Matter (not to exceed 5 minutes per speaker)

11. Miscellaneous

- a. Grove Hill Park

12. Adjournment Time

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

4482

**AN ORDINANCE
OF THE VILLAGE OF CHAGRIN FALLS TO ESTABLISH
A DONATION POLICY.**

WHEREAS, the Council desires to establish policies regarding donations offered to the Village, in order for the donors and Village officials to be able to determine when and the circumstances under which donations will be approved and received by the Village.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. The Council for the Village of Chagrin Falls does hereby adopt a Donation Policy as more fully set forth in the policy attached hereto and made a part hereof as **Exhibit "A"**.

Section 2. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 4. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

PASSED: July 10, 2023

Angie DeBernardo, Council President

Submitted to the Mayor for
his approval on this

12th day of July, 2023

Approved by the Mayor

Mayor William Tomko

I hereby certify that Ordinance No. 2023-37 was duly enacted on the 10th day of July, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Angela Gergye, Clerk of Council

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

EXHIBIT “A”

DONATION POLICY

I. PURPOSE.

This Donation Policy applies to all solicited and unsolicited donations to the Village of Chagrin Falls (“Village”). This policy and the guidelines shall govern the acceptance of gifts by the Village and provide guidance to prospective donors when making a gift to the Village.

II. DEFINITIONS.

- (A) Donation: a contribution made to the Village without expectation of goods, services or significant benefit or recognition in return. Donations may be in the form of cash or in-kind contributions of products, services, investment securities, land with or without buildings and structures located thereon, or any combination thereof. A Donation may be unrestricted, where the donor has placed no limitation on its use, or restricted, where the donor has restricted its use to a specified purpose. Donations that, if accepted, would obligate the Village to enter into a service, procurement, or similar arrangement with a Donor, (but not including Donation Agreements where no service, procurement or similar arrangement must be incurred), shall not be considered a Donation. Grants to the Village from a local, county, state or federal agency are not subject to this policy.
- (B) Donation Agreement: An agreement between the Village and the Donor that details any restrictions on a Donation as well as the respective obligations of the Donor and the Village.
- (C) Donor: Any organization or individual who provides the Village with a Donation.
- (D) Established Fundraising: Donations extended to recurrent annual events, in-kind donations associated with annual events, or donations for the maintenance and upkeep of donated materials by the original donor, such as, but not limited to, Memorial Day events, preplanned programs, and similar programs previously approved by Council.
- (E) Fundraising: Any activity conducted with the intent of generating Donations to the Village. Fundraising activities may include, but are not limited to, promoting an endowment program, program adoption or pledge drives, and contacting individuals, companies, foundations, or other entities with a request for a Donation to the Village.
- (F) Restricted Donation. A Donation that can only be used by the Village for a special purpose specified by the Donor, or a Donation specifically designated for a particular purpose, use, or location.
- (G) Supported Fundraising: Any Fundraising that has the support or approval of the Village, as evidenced by legislative approval enacted by the Village Council.

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

III. GENERAL PROVISIONS.

- (1) The Village welcomes unrestricted Donations as well as Restricted Donations that enhance Village services, reduce costs that the Village would incur in the absence of the Donation, or that otherwise provide a benefit to the Village.
- (2) The Village may decline any Donation without comment or cause.
- (3) Prior to starting any fundraising on behalf of the Village, or prior to starting any Supported Fundraising, as defined in Section II (G), of this Policy, Village Council approval shall first be required.
- (4) Before any Fundraising plan for a Supported Fundraising is approved by the Village, the proponents of the Fundraising plan shall submit a proposed Fundraising plan providing the information requested on the Fundraising Plan form approved by the Chief Administrative Officer of the Village.
- (5) The Council President shall refer any Donation requests that require approval by the Village, or any proposed Supported Fundraising to the appropriate Council committee(s) to review the proposed Donation or Fundraising.
- (6) Donors shall not expect, nor shall the Village grant, any extra consideration to the Donor in relation to Village procurement, regulatory matters, or any other business, services, or operations of the Village.
- (7) Village Council Members, the Mayor, or any Village Commissioner, Board Member, employee, or volunteer shall not solicit Donations in excess of Five Hundred Dollars (\$500.00) in money or in-kind services for any Supported Fundraising unless the Council for the Village of Chagrin Falls has approved a Fundraising plan for the Supported Fundraising.
- (8) Donations must be directly related to providing goods or services to the public or for another valid public purpose.

IV. GUIDELINES FOR CONSIDERING WHETHER TO RECEIVE RESTRICTED AND UNRESTRICTED DONATIONS.

In determining whether to accept a Donation, the Chief Administrative Officer, or Village Council, as the case may be, shall consider the following criteria:

- (1) Is the Donation permitted under applicable ethics laws, rules, and regulations.
- (2) Does a Restricted Donation conflict with Village priorities, policies, programs, or ordinances.
- (3) Does the Donation in any way invoke future consideration, influence, or perceive to influence the day-to-day operations of the Village.

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

- (4) Does the Donation require long term maintenance and will the Village be able to fund any future maintenance, repair or replacement associated with the purchase, acquisition, or construction of a facility or program.
- (5) Is the Donation financially feasible based on the cost of the proposed Donation or project implementation, including installation and ongoing maintenance.
- (6) Does the Donation create any public safety or security issues or a potential danger to public health and safety.

V. ACCEPTANCE OF REAL ESTATE DONATIONS.

- (1) Gifts of real estate may include developed or undeveloped property or gifts subject to a life interest or reversionary right. Whenever Donations are made of non-residential property, a Phase I Environmental Assessment shall be required, and the results of the Phase I Assessment must first be approved by the Village Law Director. In addition, the Village Council shall approve all Donations of real estate and in the case of non-residential property, shall approve the environmental condition of the property before the Donation will be accepted. The cost of any environmental impact assessment shall be paid for by the Donor.
- (2) The Village shall obtain a Title Insurance Commitment the cost of which shall be determined between the Donor and the Village. The Village Law Director shall approve the condition of title before a Donation of real property will be accepted. The Donor must provide the Village with all available documents related to the condition of the property upon written request of the Village before a Donation of real property will be accepted.
- (3) In considering whether to accept a Donation of real property, the Village Council shall consider the following criteria:
 - (a) Is the property free from adverse environmental conditions.
 - (b) Is the property marketable and is the title acceptable to the Law Director.
 - (c) Does the Village have a use for the real property and is it accessible and useable by Village residents or the Village government.
 - (d) Are there any restrictions, reservations, easements, or other limitations associated with the use or sale of the property.
 - (e) Are there any carrying costs associated with the property other than insurance, such as storage fees, liens, mortgages, or other carrying costs.
 - (f) The Village may accept royalties from oil, gas, and other mineral interests when the gift is separated from ownership of the real property. The right to receive the royalties shall not include liabilities or other considerations that make receiving the gift inappropriate.
 - (g) The Village will not stipulate the value of any real property donated to the Village and it shall be the obligation of the Donor to determine such value for tax purposes. The Village will file IRS Form 8282, or its future equivalent, in the event of future sale or exchange of donated real property made within three (3)

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

years from the date of the gift for any property that the Village determines to have a value of \$5,000 or more, or such other requirements hereafter established by the U.S. Congress in amending the Internal Revenue Code.

- (h) The donated property cannot negatively affect public access or Village Services.
- (i) Is the property located within the Village, or any area outside the Village that is serviced by a Village supplied sewer and/or water service.

VI. PROCEDURES.

- (1) The Village Chief Administrative Officer may accept or reject unrestricted Donations of \$10,000 or less in cash. The Village Council shall approve or reject Donations of cash of more than \$10,000 in accordance with the guidelines set forth in this Donation Policy. The Chief Administrative Officer and Council may decline any Donation which in their discretion does not comply with this Donation Policy. Any Donation declined by the Chief Administrative Officer may be appealed to the Village Council for reconsideration.
- (2) The Village Council will determine appropriate recognition for a Donation at the time the Donation is accepted, taking into consideration the nature and value of the Donation. The name of a Donor, but no company logos, trademarks or the like, may be permitted on a sign, flyer or other materials related to the program or activity supported by the Donations. The agreed upon form of recognition shall be identified in the Donor receipt or in any Donation Agreement that only the Village Council shall approve when reviewing whether to accept or decline a Donation.
- (3) Established Fundraising for existing Village Donation programs shall not require Village Council approval unless in the opinion of the Chief Administrative Officer and/or Village Council the methods or targets of the Fundraising change in a material way.

VII. PROHIBITIONS.

- (1) No Village employee shall receive under any pretense, or seek, ask, or share in any fee, reward or other reimbursement or gratuity for the performance of official duties.
- (2) This prohibition shall apply equally to the receipt or solicitation by the employee's spouse, child, parent, parent-in-law, brother, sister, grandparent, or grandchild.
- (3) Whenever any gift, gratuity or Donation is offered to a Village employee and the Village employee cannot determine if acceptance would be prohibited or permitted, the employee shall submit the proposal through their Department Head to the Chief Administrative Officer who may consult with the Village Law Director. The proposal must include a description of the gift, the name of the Donor, when the gift will be received, and an explanation of the proposed disposition of the gift. The decision of the Chief Administrative Officer as to whether the gift is permitted or prohibited shall be

ORDINANCE 2023-37
INTRODUCED BY: ROGOFF

final. Approval from the Village Council shall be required whenever any gift is offered to a Department Head, the Chief Administrative officer, or an elected official.

- (4) The prohibitions above shall not apply to solicitation or acceptance of anything of value from an existing friend or relative unrelated to any employee duties or Village business and based on a pre-existing personal or family relationship.

VIII. MISCELLANEOUS.

- (1) This Donation Policy shall not be construed to create any right for an individual or organization to make a Donation to the Village or to make a public improvement on Village property.
- (2) The Village reserves the right to deny any Donation if, upon review, acceptance of the Donation is determined to be not in the best interest of the Village.
- (3) The Village, in accepting any Donation, shall not be obligated to maintain, repair, or replace any program, facility or service created, maintained, or enhanced by the Donation.
- (4) The Village shall not establish the value of any Donation, unless required to do so by law.

RESOLUTION NO. 2023-41
INTRODUCED BY: ROGOFF

4486

A RESOLUTION
ADOPTING THE CHAGRIN FALLS ALTERNATIVE TAX
BUDGET FOR FISCAL YEAR 2024 AND DECLARING AN
EMERGENCY.

WHEREAS, the alternative tax budget for Chagrin Falls Village for the fiscal year 2024 has been prepared by the Finance Department and has remained on file in the office of the Clerk of Council available for public inspection; and

WHEREAS, it is the recommendation that this alternative tax budget be adopted for fiscal year 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, STATE OF OHIO:

Section 1. That the alternative tax budget of the Village of Chagrin Falls for fiscal year 2024, as set forth in Exhibit "A" incorporated herein by reference, is hereby and herein adopted and placed on file with the Clerk of Council pursuant to law.

Section 2. The Clerk of Council is hereby and herein directed to certify a copy of this Resolution and budget to the Cuyahoga County Fiscal Officer as required by law.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 5. That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, or safety of the inhabitants of the Village and for the further reason, that the filing deadline with the Cuyahoga County Budget Commission is July 20, 2023, and provided it receives two-thirds of the vote of all members of Council elected thereto, shall take effect and be in full force from and after the earliest period allowed by law.

RESOLUTION NO. 2023-41
INTRODUCED BY: ROGOFF

PASSED: July 10, 2023

Angie DeBernardo, Council President

Submitted to the Mayor for
his approval on this

11th day of July, 2023

Approved by the Mayor

Mayor William Tomko

I hereby certify that Resolution No. 2023-41 was duly enacted on the 10th day of July, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Angela Gergye, Clerk of Council

**RESOLUTION NO. 2023-41
INTRODUCED BY: ROGOFF**

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit Village of Chagrin Falls

For the Fiscal Year Commencing January 1, 2024

Fiscal Officer Signature Angela Gergye Date 07/10/2023

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

RESOLUTION NO. 2023-41
INTRODUCED BY: ROGOFF

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)
 (List All Levies Of The Taxing Authority)

SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
GENERAL FUND	INSIDE						2.50	\$ 715,000
GENERAL FUND	CURRENT EXPENSES	5/7/2019	RENEWAL	5	2019/2023	2020/2024	5.50	\$ 1,570,000
POLICE PENSION	INSIDE						0.30	\$ 85,000
Totals							8.30	\$ 2,370,000

STATEMENT OF FUND ACTIVITY (2024)

(List All Funds Individually)

SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund BY Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
General Fund	\$ 6,706,523	\$ 2,395,000	\$ 8,639,362	\$17,740,885	\$ 7,999,840	\$ 9,741,045
Bond Retirement	\$ 8,648	\$ -	\$ -	\$ 8,648	\$ -	\$ 8,648
Police Pension	\$ 11,028	\$ 85,000	\$ -	\$ 96,028	\$ 78,750	\$ 17,278
Street Fund	\$ 166,026	\$ -	\$ 1,169,000	\$ 1,335,026	\$ 1,269,623	\$ 65,403
Capital Improvement	\$ 139,679	\$ -	\$ 2,257,237	\$ 2,396,916	\$ 2,147,458	\$ 249,458
S/A Bond Retirement	\$ 2,754	\$ -	\$ -	\$ 2,754	\$ 100	\$ 2,654
Water	\$ 1,274,837	\$ -	\$ 2,027,633	\$ 3,302,470	\$ 3,087,518	\$ 214,952
Sewer	\$ 870,216	\$ -	\$ 2,578,276	\$ 3,448,492	\$ 3,386,102	\$ 62,390
Working Equipment	\$ 300,000	\$ -	\$ 937,222	\$ 1,237,222	\$ 1,230,075	\$ 7,147
Misc. Deposits	\$ 162,511	\$ -	\$ 35,000	\$ 197,511	\$ 42,000	\$ 155,511
Cemetery - Perpetual Care	\$ 95,522	\$ -	\$ 10,000	\$ 105,522	\$ -	\$ 105,522
Confiscated Prop / L.E.	\$ 1,660	\$ -	\$ -	\$ 1,660	\$ -	\$ 1,660
Drug Law Enforcement	\$ 117	\$ -	\$ -	\$ 117	\$ -	\$ 117
Law Enforcement & Educ	\$ 15,713	\$ -	\$ 6,000	\$ 21,713	\$ 6,000	\$ 15,713
Law Enfrmnt Reimburse	\$ 1,190	\$ -	\$ 2,000	\$ 3,190	\$ 2,800	\$ 390
Indigent Drivers	\$ 50	\$ -	\$ -	\$ 50	\$ -	\$ 50
Earned Interest	\$ 736	\$ -	\$ -	\$ 736	\$ -	\$ 736
Donations	\$ 114,418	\$ -	\$ 10,000	\$ 124,418	\$ 10,000	\$ 114,418
K-9 Prog. / Giles Foundation	\$ 8,700	\$ -	\$ 2,000	\$ 10,700	\$ 5,000	\$ 5,700
Safety Town	\$ 1,674	\$ -	\$ 2,000	\$ 3,674	\$ 3,500	\$ 174
Whitesburg Park	\$ 14,702	\$ -	\$ -	\$ 14,702	\$ -	\$ 14,702
Paid / Received As Agent	\$ 88,306	\$ -	\$ 22,000	\$ 110,306	\$ 8,000	\$ 102,306
C.O.P.S. Grant	\$ 482	\$ -	\$ -	\$ 482	\$ -	\$ 482
Safe Routes to School	\$ 29,939	\$ -	\$ 1,000	\$ 30,939	\$ 5,250	\$ 25,689
Cemetery Trust	\$ 2,528	\$ -	\$ -	\$ 2,528	\$ -	\$ 2,528
Veteran Affairs Fund	\$ 2,000	\$ -	\$ 500	\$ 2,500	\$ 1,500	\$ 1,000
American Rescue Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OneOhio Opioid Settlement	\$ 2,364	\$ -	\$ 1,285	\$ 3,649	\$ -	\$ 3,649
Cemetery Bequest	\$ 16,081	\$ -	\$ -	\$ 16,081	\$ -	\$ 16,081
Totals	\$ 10,038,404	\$ 2,480,000	##### #	\$30,218,919	##### #	\$ 10,935,403

VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

SCHEDULE 4

I Purpose Of Notes Or Bonds	II Authorized By Voters On MM/DD/YY	III Date Of Issue	IV Final Maturity Date	V Principal Amount Outstanding At The Beginning Of The Calendar Year	VI Amount Required To Meet Calendar Year Principal & Interest Payments	VII Amount Receivable From Other Sources To Meet Debt Payments
			(NONE)			

ORDINANCE 2023-42
INTRODUCED BY: ROGOFF

4487

**AN ORDINANCE
AMENDING APPROPRIATIONS FOR THE CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE
VILLAGE OF CHAGRIN FALLS FOR THE YEAR ENDING
DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Section 5705.40 provides that any appropriation ordinance may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority and making an original appropriation; and

WHEREAS, the Village has determined that it is necessary to procure irrigation system supplies for installation in Riverside Park for turf restoration as soon as possible, appropriate funds for a veteran memorial monument in Evergreen Cemetery, acquire a gun simulator for purposes of police training and manage previous and future COBRA insurance expenses within a custodial account, which were not contemplated when the original appropriations for calendar year 2023 were enacted by Ordinance 2023-06;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. That the sum of Twenty-Six Thousand Dollars (\$26,000.00) be reappropriated from the Lands and Buildings Account (account number A17E) to the Parks Department Account (account number A13B), within the General Fund in order to expand the scope of the turf watering system in Riverside Park turf restoration in the Village of Chagrin Falls.

Section 2. That the sum of Seven Thousand Four Hundred Dollars (\$7,400.00) of unspent funds be appropriated within the Cemetery Trust Fund Account (account number B149G), in order to acquire a Veteran's Memorial Monument to be placed in Evergreen Hill Cemetery in the Village of Chagrin Falls.

Section 3. That the sum of Four Thousand Four Hundred Dollars (\$4,400.00) of unspent funds be appropriated within the Confiscated Property Account (account number B056), in order to acquire a gun simulator for police department training in the Village of Chagrin Falls.

Section 4. That the sum of Seventy-One Thousand Three Hundred Dollars (\$71,300.00) be appropriated within the Paid/Received as Agent Account (account number G59E), whereas Forty Thousand Dollars (\$40,000.00) of unspent funds appropriated as well as a new appropriation of anticipated collections of COBRA funds during the year ending 2023 in order to manage COBRA Insurance expenses appropriately in the Village of Chagrin Falls.

Section 5. That the sum of Twenty Thousand Dollars (\$20,000.00) be appropriated to the Veteran Affairs Fund (account number B26VO), in order to acquire veteran grave marker supplies as a result of anticipated donations.

ORDINANCE 2022-42
INTRODUCED BY: ROGOFF

Section 6. That the Director of Finance is hereby authorized and directed to draw funds from the Village depository for any portion of the amount within the above-named amended appropriation whenever claims are presented and properly approved by the Chief Administrative Officer.

Section 7. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 8. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 9. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason that this Ordinance to take immediate effect and be adopted as an emergency in accordance with Ohio Revised Code and to have a source of funds for payment of any amount that must be paid in 2023; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: July 10, 2023

Angie DeBernardo, Council President

Submitted to the Mayor for
his approval on this

12th day of July, 2023

Approved by the Mayor

Mayor William Tomko

I hereby certify that Ordinance No. 2023-42 was duly enacted on the 10th day of July, 2023, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Angela Gergye, Clerk of Council