

Village of Glendale Council Meeting

Monday, March 2, 2020
80 E. Sharon Avenue
7:00pm Regular Meeting

AGENDA

- I. Establishment of Quorum and Approval of Agenda**
- II. Minutes from:**
 - Feb. 3, 2020 Regular Council meeting
 - Feb. 15, 2020 Special Council meeting – Morning (Solicitor)
 - Feb. 15, 2020 Special Council Meeting – Afternoon (CIC)
- III. Public Presentations/Public Comment**

Proclamation in Recognition of Women of Glendale Exhibit at GHP Museum

Old Business
Ordinance 2020-09: An Ordinance Approving the Mayor’s Appointment of Kathleen F. Ryan, Esq. as Solicitor for the Village of Glendale, Establishing Compensation and Declaring an Emergency
- IV. New Business**
 - I. Ordinances**

Ordinance 2020-10: An Ordinance Appointing David Herring and Greg Lee to the Position of Part Time Police Officer, Not to Exceed 30 Hours Per Week, Establishing Compensation, and Declaring an Emergency.

Ordinance 2020-11: An Ordinance Amending Chapter 72 of the Village of Glendale Code of Ordinances to Make it Unlawful for the Driver of Any Vehicle to Use or Operate or Cause to be Used or Operated, Within the Incorporated Village of Glendale, any Engine Brake, Compression Brake or Mechanical Exhaust Device Designed to Aid in the Braking or Deceleration of Any Vehicle That Results in Excessive, Loud, Unusual or Explosive Noise From Such Vehicle, Unless Such Use is Necessary to Avoid Imminent Danger.
 - II. Resolutions**

Resolution 2020-12: A Resolution authorizing Council to Approve the Payment of Goods or Services Exceeding \$3,000 Issued on Purchase Orders with “Then and Now” Certificates, and Declaring an Emergency.
 - III. Reports from the Mayor, Standing Committees and Special Committees**
 - Births: None
 - Deaths: None

Committee Reports

Finance Committee

Fire Committee

Laws, Claims & Miscellaneous

Police Committee

Public Buildings and Historic Preservation

Recreation and Playgrounds

Streets, Public Improvements & Lights

Utilities Committee

IV. Miscellaneous Business and Reports

a. Reports from the Clerk and Treasurer

V. Review of expenditures

a. 2020-3 General Fund

b. 2020-3 Enterprise Fund

VI. Adjournment

Next regular meeting April 6, 2020 at 7:00pm

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2020-09

AN ORDINANCE APPROVING THE MAYOR'S APPOINTMENT OF KATHLEEN F. RYAN, ESQ. AS SOLICITOR FOR THE VILLAGE OF GLENDALE, ESTABLISHING COMPENSATION AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring:

SECTION I: The appointment by the Mayor of Kathleen F. Ryan, Esq. of the law firm of Manley Burke as the Village Solicitor is hereby approved subject to the following: (1) Pursuant to Glendale Codified Ordinances § 31.04(C), the term shall be month to month, renewing automatically at the end of each month, until the first Village Council meeting in January 2021; (2) compensation is hereby established in the amount of \$150.00 per hour for a minimum of 100 hours for legal duties as may be determined by the Mayor from time to time.

SECTION II: This ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the continuation of important Village projects, and to ensure the proper administration of Village affairs. Therefore, this ordinance shall take effect immediately upon its passage.

PASSED: February 15, 2020

Donald A. Lofty, Mayor

ATTEST:

Michael Besl, Vice Mayor

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2020-10

**AN ORDINANCE APPOINTING DAVID HERRING AND GREG LEE TO THE
POSITION OF PART TIME POLICE OFFICER, NOT TO EXCEED 30 HOURS PER
WEEK, ESTABLISHING COMPENSATION, AND DECLARING AN EMERGENCY**

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring:

SECTION I: That David Herring and Greg Lee are hereby appointed to the position of part time Police Officer, not to exceed 30 hours per week, and shall receive \$21.97 per hour effective today's date. This appointment will incorporate a one year probationary period effective upon passage.

SECTION II: This ordinance is hereby declared to be an emergency measure for the purpose of the timely and efficient administration of Village affairs, to allow the filling of vacancies in the Glendale Police Department, thereby providing adequate manpower for responding to emergencies and other incidents in the Village, as provided by Ohio Revised Code 731.30, and shall take effect immediately upon its passage.

Passed: March 2, 2020

Donald A. Lofty, Mayor

ATTEST:

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

ORDINANCE 2020 – 11

**AN ORDINANCE AMENDING CHAPTER 72 OF THE VILLAGE OF GLENDALE
CODE OF ORDINANCES TO MAKE IT UNLAWFUL FOR THE DRIVER OF ANY
VEHICLE TO USE OR OPERATE OR CAUSE TO BE USED OR OPERATED, WITHIN
THE INCORPORATED VILLAGE OF GLENDALE, ANY ENGINE BRAKE,
COMPRESSION BRAKE OR MECHANICAL EXHAUST DEVICE DESIGNED TO AID
IN THE BRAKING OR DECELERATION OF ANY VEHICLE THAT RESULTS IN
EXCESSIVE, LOUD, UNUSUAL OR EXPLOSIVE NOISE FROM SUCH VEHICLE,
UNLESS SUCH USE IS NECESSARY TO AVOID IMMINENT DANGER**

WHEREAS, in response to resident and noise concerns, and pursuant to the authority vested in the Village of Glendale pursuant to Ohio Revised Code Section 4511.07, the Village of Glendale has enacted Chapter 72 of the Village of Glendale Code of Ordinances to establish traffic rules within the Village;

WHEREAS, at a meeting of the Laws Claims & Miscellaneous Committee, Village residents brought to the attention of the Police Chief and Mayor of the Village of Glendale that certain truck engine braking noises may result in unnecessary loud noise within residential districts;

WHEREAS, the Mayor, Village Administrator, Police Chief and Police Committee Chairman agree that the issues raised present unnecessary noise conditions within residential districts, and recommend the revision of Section 72.47 of the Village of Glendale Code of Ordinances to regulate those vehicle noise issues, as have most other neighboring communities pertaining to these concerns;

WHEREAS, the Council of the Village of Glendale hereby accepts said recommendations and agrees that Section 72.47 of the Village of Glendale Code of Ordinances should be amended to address the additional engine brake noise concerns raised.

BE IT ORDAINED, by the Council of the Village of Glendale, State of Ohio, a majority of all members thereof concurring:

SECTION I: Section 72.47 of the Code of Ordinances of the Village of Glendale is hereby amended by adding a new subsection (D) as follows:

(D) IT SHALL BE UNLAWFUL FOR THE DRIVER OF ANY VEHICLE TO USE OR OPERATE OR CAUSE TO BE USED OR OPERATED, WITHIN THE INCORPORATED VILLAGE OF GLENDALE, ANY ENGINE BRAKE, COMPRESSION BRAKE OR MECHANICAL EXHAUST DEVICE DESIGNED TO AID

IN THE BRAKING OR DECELERATION OF ANY VEHICLE THAT RESULTS IN EXCESSIVE, LOUD, UNUSUAL OR EXPLOSIVE NOISE FROM SUCH VEHICLE, UNLESS SUCH USE IS NECESSARY TO AVOID IMMINENT DANGER.

(1) SIGNS STATING “ENGINE BRAKING PROHIBITED” OR WORDS OF SIMILAR MEANING MAY BE INSTALLED AT LOCATIONS DEEMED APPROPRIATE BY THE POLICE CHIEF TO ADVISE MOTORISTS OF THE PROHIBITIONS CONTAINED IN THIS ORDINANCE. THE PROVISIONS OF THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT EVEN IF NO SIGNS ARE INSTALLED.

Penalty, see § 70.99

PASSED: _____

First Read: March 2, 2020

Second Read: _____

Third Read: _____

Donald A. Lofty, Mayor

ATTEST:

Rebecca Terrell, Clerk

**VILLAGE OF GLENDALE
STATE OF OHIO**

RESOLUTION 2020-12

**A RESOLUTION AUTHORIZING COUNCIL TO APPROVE THE PAYMENT OF
GOODS OR SERVICES EXCEEDING \$3,000 ISSUED ON PURCHASE ORDERS WITH
“THEN AND NOW” CERTIFICATES, AND DECLARING AN EMERGENCY**

WHEREAS, The Ohio Revised Code Section 5705.41(D) (1), states that no contracts or orders involving the expenditure of money unless the Clerk has certified that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of the appropriate fund free from any previous encumbrances. The vehicle to present this certification is the purchase order.

WHEREAS, any contract made without this certification is null and void, and no warrant shall be issued in payment. However, there is a “then and now” certificate that may be issued. The “then and now” certificate allows for Village Council to approve a purchase order after goods or services have been purchased, if there were unencumbered appropriations at the time the contract or order was placed (then) and currently (now) there are unencumbered appropriations. If the order is for \$3,000 or less, the Clerk may authorize the expenditure. Otherwise, Village Council may pass a resolution authorizing the payment for the goods and services.

WHEREAS, the attached purchase order list are for amounts over \$3,000 and were issued for payment with a “then and now” certificate from Jan. 2, 2020 through Feb. 7, 2020

THEREFORE, BE IT RESOLVED by the Council of the Village of Glendale, State of Ohio, a majority of the members thereof concurring:

SECTION I: The Purchase Orders attached to this Resolution are as follows;

| DATE | PO # | VENDOR | DESCRIPTION | AMOUNT | FUND |
|-------------|-------------|-----------------------|---------------------------|---------------|--------------------|
| 01-02-20 | 40998 | Tyler Technologies | software maint. agre | \$4242.79 | general/enterprise |
| 01-02-20 | 41011 | Lexipohl | policy & proc maint. agre | \$3534.00 | general |
| 01-03-20 | 41001 | Board Of County Comm | yearly dispatch fees | \$6970.00 | general |
| 01-06-20 | 41066 | Lexipohl | policy & proc maint. agre | \$5616.00 | general |
| 01-08-20 | 41030 | Cassinelli’s Glendale | 2019 street tree planting | \$12635.00 | park board |
| 01-10-20 | 40995 | Jefferson Health | January insurance premium | \$17046.15 | general/enterprise |
| 01-13-20 | 41037 | Curry & Sons | repair water main break | \$8810.00 | enterprise |
| 01-14-20 | 41038 | City of Dayton | lime | \$3500.00 | enterprise |

| | | | | | |
|----------|-------|------------------------|--------------------------|------------|--------------------|
| 01-15-20 | 41074 | Integrated Power Sys. | replace bearing | \$6240.00 | enterprise |
| 01-15-20 | 41056 | Air Plus Heating & Air | replace furnace | \$5600.00 | general/enterprise |
| 01-22-20 | 41136 | Rumpke | hauling & recycling | \$14851.20 | general |
| 02-07-20 | 41135 | Backdraft OPCO | emergency reporting soft | 3126.50 | general |
| 02-07-20 | 41152 | Cassinelli Glendale | Tollgate Phase 1 | \$5440.00 | park board |

SECTION II: This resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and or safety, as provided by the Ohio Revised Code 731.30. Specifically, emergency action is necessary to ensure the timely and efficient payment of Village invoices, to ensure the continuation of important Village projects, and to ensure the proper administration of Village affairs. Therefore, this resolution shall take effect immediately upon its passage.

PASSED: March 2, 2020

ATTEST:

Rebecca Terrell, Clerk