

CITY OF OAKWOOD
COUNCIL AGENDA
DECEMBER 9, 2019

7:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF NOVEMBER 4 REGULAR SESSION & WORK SESSION AND NOVEMBER 18 WORK SESSION & EXECUTIVE SESSION
- V. STATUS REPORTS
 - Report from Citizen Budget Review Committee
 - Honoring Detective Jorge Del Rio
 - Message from Principal Tim Badenhop
 - PSO Swear-in
 - Citizens Police Academy
 - Traffic Enforcement
- VI. VISITORS
- VII. LEGISLATION
 - An Ordinance to approve updates to the Traffic and General Offenses Codes, Mr. Stephens
 - An Ordinance to increase the stormwater fee, Mr. Epley
 - An Ordinance to approve the 2020 Budget, Vice Mayor Byington
 - An Ordinance to amend the personnel schedule, Vice Mayor Byington
 - An Ordinance to amend compensation rates for Oakwood Court, Vice Mayor Byington
 - A Resolution authorizing a ten-year ED/GE Agreement, Mr. Stephens
 - An Ordinance to amend Section 147.03, Depositories, of the Administrative Code, Vice Mayor Byington
- VIII. STAFF REPORT – FINANCE DIRECTOR CINDY STAFFORD
- IX. CITY MANAGER’S REPORT
- X. COUNCIL COMMENTS
- XI. ADJOURN

NEXT REGULAR SESSION SCHEDULED FOR JANUARY 6, 2020

AN ORDINANCE

BY: _____

NO. _____

TO APPROVE CURRENT REPLACEMENT PAGES TO THE OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; and

WHEREAS, such revision is presently before Council in the form of 2019 replacement pages to the Traffic and General Offenses Codes;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO, THAT:

SECTION I.

The following sections of the Oakwood Traffic and General Offenses Codes are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
- 301.20 Motor Vehicle. (Amended)
- 301.251 Predicate Motor Vehicle Offense. (Amended)
- 301.361 Shared-Use Path. (Amended)
- 301.51 Vehicle. (Amended)
- 303.06 Freeway Use Prohibited by Pedestrians, Bicycles and Animals. (Amended)
- 313.09 Driver’s Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver’s Duties. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 373.01 Code Application to Bicycles. (Amended)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)
- 373.03 Attaching Bicycle, Skates or Sled to Vehicle. (Amended)
- 373.04 Riding Bicycles Abreast. (Amended)
- 373.05 Signal Device on Bicycle. (Amended)
- 373.06 Lights and Reflector on Bicycle; Brakes. (Amended)
- 373.07 Riding on Right Side of Roadway; Traffic Control Devices; Hand and Arm Signals; Yield Right-of-Way. (Amended)
- 373.08 Reckless Operation; Control, Course and Speed. (Amended)
- 373.09 Parking of Bicycle. (Amended)
- 373.11 Electric Bicycles. (Added)

General Offenses Code

- 509.03 Disorderly Conduct; Intoxication. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.04 Sexual Imposition. (Amended)
- 533.07 Public Indecency. (Amended)
- 533.15 Dissemination of Private Sexual Images. (Added)
- 549.01 Definitions. (Amended)
- 549.06 Unlawful Transactions in Weapons. (Amended)

SECTION II.

That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Oakwood, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

| <u>Ord. No.</u> | <u>Date</u> | <u>C.O. Section</u> |
|-----------------|-------------|--|
| 4875 | 1-7-19 | 505.01 |
| 4876 | 1-7-19 | 301.181, 301.185, 301.491, 301.495, 375.09 |
| 4886 | 7-15-19 | 375.10 |

SECTION III.

The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Traffic and General Offenses Code. The publication of the 2019 replacement pages within the Codified Ordinances shall be deemed sufficient publication of all material contained therein as provided by Section 3.05(1) of the Charter.

SECTION IV.

This ordinance is hereby declared to be an emergency measure and as such takes effect immediately on the basis that it is necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the Traffic and General Offenses Codes to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD THIS ___ day of _____, 2019.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Please publish by including the 2019 Replacement Pages in the Codified Ordinances of this City.

City Attorney Robert F. Jacques

APPENDIX A

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped; Electric Bicycle. (Adds definition of “electric bicycle”.)
- 301.20 Motor Vehicle. (Adds “electric bicycles” to definition.)
- 301.251 Predicate Motor Vehicle Offense. (Adds new subsection (d).)
- 301.361 Shared-Use Path. (Adds last sentence to definition.)
- 301.51 Vehicle. (Adds “electric bicycle” to definition.)
- 303.06 Freeway Use Prohibited by Pedestrians, Bicycles and Animals. (Adds “electric bicycle” to regulation of bicycles.)
- 313.09 Driver’s Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Adds “electric bicycle” to regulation of bicycles.)
- 331.03 Overtaking, Passing to Left; Driver’s Duties. (Adds “electric bicycle” to regulation of bicycles.)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Adds “electric bicycle” to regulation of bicycles.)
- 331.15 Hand and Arm Signals. (Adds “electric bicycle” to regulation of bicycles.)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Revised speed limit designations on controlled access highways, freeways and expressways in subsection (b).)
- 373.01 Code Application to Bicycles. (Adds “electric bicycle” to regulation of bicycles.)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Adds “electric bicycle” to regulation of bicycles.)
- 373.03 Attaching Bicycle, Skates or Sled to Vehicle. (Adds “electric bicycle” to regulation of bicycles.)
- 373.04 Riding Bicycles Abreast. (Adds “electric bicycle” to regulation of bicycles.)
- 373.05 Signal Device on Bicycle. (Adds “electric bicycle” to regulation of bicycles.)
- 373.06 Lights and Reflector on Bicycle; Brakes. (Adds “electric bicycle” to regulation of bicycles.)
- 373.07 Riding on Right Side of Roadway; Traffic Control Devices; Hand and Arm Signals; Yield Right-of-Way. (Adds “electric bicycle” to regulation of bicycles.)
- 373.08 Reckless Operation; Control, Course and Speed. (Adds “electric bicycle” to regulation of bicycles.)
- 373.09 Parking of Bicycle. (Adds “electric bicycle” to regulation of bicycles.)
- 373.11 Electric Bicycles. (Adds new Section regulating electric bicycles.)

General Offenses Code

- 509.03 Disorderly Conduct; Intoxication. (Adds new subsection (e)(4).)
- 529.07 Open Container Prohibited. (Adds classes of permit holders under subsection (c)(7)A. and adds new subsection (c)(7)C.)
- 533.04 Sexual Imposition. (Revises language in subsection (c) pertaining to multiple violations.)
- 533.07 Public Indecency. (Adds new subsection (d).)
- 533.15 Dissemination of Private Sexual Images. (Adds new section on dissemination of private sexual images.)
- 549.01 Definitions. (Revises definition of sawed-off firearm in subsection (f) and adds new subsection (k)(7).)
- 549.06 Unlawful Transactions in Weapons. (Revises first line of subsection (a) and adds “transferee” in subsection (a)(2).)

AN ORDINANCE

BY: _____ NO. _____

AN ORDINANCE TO AMEND “APPENDIX A – PUBLIC SERVICES RATE SHEET” OF THE OAKWOOD STREETS AND PUBLIC SERVICES CODE TO INCREASE THE STORMWATER FEE.

WHEREAS, in order to meet operational and upcoming capital needs for the stormwater utility service, the City Manager has recommended a \$3.00 rate increase for the stormwater utility service, which would increase the per-ERU rate from \$7.00 to \$10.00; and

WHEREAS, the City Manager presented the recommended rate increase to the citizen Budget Review Committee (“BRC”) as part of the 2020 budget briefing on October 15, 2019; and

WHEREAS, Council, based on the positive response from the BRC and its own study of the matter, finds that the recommended change is justified and necessary, and will benefit the general health, safety and welfare of the citizens of Oakwood, and desires to implement the same;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Appendix A to the Streets and Public Services Code, which is incorporated by reference in the ordinances governing the city’s water, sanitary sewer, stormwater, and refuse utility programs, is hereby amended as shown on the attached exhibit to reflect an increase of \$3.00 in the stormwater management rate, which will increase revenue within the city’s stormwater utility.

SECTION II.

The rate increase set forth herein shall be effective as of January 1, 2020.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of Council and any of its committees that resulted in that formal action were in meetings open to the public to the extent required by law.

SECTION IV.

This ordinance, as an ordinance to raise revenue, shall take effect upon passage as provided by Section 3.04 of the City Charter.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this ____ day of December, 2019.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Please publish the foregoing by incorporating the same into the Codified Ordinances of the city.

City Attorney Robert F. Jacques

APPENDIX A -- PUBLIC SERVICES RATE SHEET

WATER UTILITY RATES

RATES FOR WATER INSIDE THE CITY

| | | | |
|---|-------|--------------|--------|
| 1. Minimum charge per month according to size of meter: | | | |
| 5/8" or smaller . . . | 10.00 | 2" | 54.11 |
| 3/4" | 12.43 | 3" | 108.22 |
| 1" | 19.53 | 4" | 163.19 |
| 1 1/2" | 32.48 | 6" | 281.13 |
| 2. Consumption rate, per 100 cu.ft. | | | 1.76 |

All bills due by last day of month. THEREAFTER a 10% charge on past due amount.
 1 1/2% per month interest begins 30 days after due date.

RATES FOR WATER OUTSIDE THE CITY

Including \$0.10 per hundred cu. ft. Well Field Protection Fee and \$1.321 fixed fee

| | | | |
|---|-------|--------------|--------|
| 1. Minimum charge per month according to size of meter: | | | |
| 5/8" or smaller . . . | 22.33 | 2" | 95.13 |
| 3/4" | 26.34 | 3" | 184.39 |
| 1" | 38.07 | 4" | 275.06 |
| 1 1/2" | 59.41 | 6" | 469.70 |
| 2. Consumption rate, per 100 cu.ft. | | | 3.00 |

HYDRANTS

| | |
|--|-------|
| 1. Fire hydrants inside city per month, per hydrant | 12.50 |
| 2. Fire hydrants outside city per month, per hydrant | 25.00 |

FIRE LINES

For the furnishing of water service to fire lines within the boundaries of the City of Oakwood, the rates shall be \$21.00 per month, and for the furnishing of water service to fire lines beyond the boundaries of the City of Oakwood, the rate shall be \$31.50 per month.

SANITARY SEWAGE RATES

| | | | |
|---|-------|--------------------------|---|
| 1. Minimum charge per month according to size of meter: | | | |
| | | <u>Inside City Rates</u> | <u>Outside City Rates</u> <u>(25% surcharge)</u> |
| <u>Meter Size</u> | | | |
| 5/8" or 3/4" | 21.20 | | 26.50 |
| 1" | 21.77 | | 27.21 |
| 1 1/2" | 22.33 | | 27.92 |
| 2" | 22.79 | | 28.49 |
| 3" | 23.47 | | 29.33 |
| 4" | 24.03 | | 30.04 |
| 6" | 24.79 | | 31.00 |
| 2. Consumption rate, per 100 cu.ft. | | 3.527 | 4.409 |

MONTHLY REFUSE COLLECTION & DISPOSAL RATES

| | |
|----------------------|----------------|
| SINGLE FAMILY HOME | 30.00 |
| DUPLEX | 60.00 |
| TRIPLEX | 90.00 |
| FOUR-UNIT | 120.00 |
| MORE THAN FOUR UNITS | 30.00 per unit |

MONTHLY STORMWATER MANAGEMENT RATES

| | |
|--|-------|
| SINGLE FAMILY HOME | 10.00 |
| DUPLEX | 10.00 |
| TRIPLEX | 10.00 |
| EQUIVALENT RESIDENTIAL UNIT (ERU) 3,403 sq.ft. | |
| FOUR OR MORE UNITS, or COMMERCIAL | |

Formula: (Impervious area in sq.ft. / ERU) rounded to nearest whole number x 10.00

AN ORDINANCE

BY _____

NO. _____

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Council hereby accepting the submitted budget for fiscal year 2020, and desiring to provide for expenses and other expenditures of the city of Oakwood during the period commencing January 1, 2020 and ending December 31, 2020, the following sums shall be and they are hereby set aside and appropriated as follows:

| Fund | Appropriation | | | | |
|------------------------------------|--|--------------|--------------|-----------------------------|-----------|
| | Personnel | Operating | Total | | |
| MAJOR OPERATING FUNDS | | | | | |
| 101 | General Fund: | | | | |
| | Total Expenditures | \$ 7,175,485 | \$ 1,285,936 | \$ 8,461,421 | |
| | Total Transfers | | | \$ 3,480,357 | |
| | Total General Fund | | | <u>\$ 11,941,778</u> | |
| 220 | Street Maintenance and Repair Fund | | | | |
| | Total Expenditures | \$ 844,620 | \$ 217,200 | \$ 1,061,820 | |
| | Total Transfers | | | \$ 176,094 | |
| | Total Street Maintenance and Repair Fund | | | <u>\$ 1,237,914</u> | |
| 228 | Leisure Activity Fund | | | | |
| | Total Expenditures | \$ 775,717 | \$ 418,030 | \$ 1,193,747 | |
| | Total Transfers | | | \$ 3,260 | |
| | Total Leisure Activity Fund | | | <u>\$ 1,197,007</u> | |
| 230 | Health Fund | | | | |
| | Total Expenditures | \$ 113,165 | \$ 33,280 | \$ 146,445 | |
| | Total Transfers | | | \$ 3,260 | |
| | Total Health Fund | | | <u>\$ 149,705</u> | |
| 308 | General Equipment Replacement Fund | | | | |
| | | | \$ 409,500 | \$ 409,500 | |
| 309 | Capital Improvement Fund | | | | |
| | | | \$ 758,600 | \$ 758,600 | |
| 510 | Sidewalk, Curb & Apron Fund | | | | |
| | | | \$ 176,700 | \$ 176,700 | |
| 707 | Service Center Fund | | | | |
| | \$ 285,925 | \$ 440,835 | | \$ 726,760 | |
| TOTAL MAJOR OPERATING FUNDS | | | | <u>\$ 16,597,964</u> | |
| OTHER FUNDS | | | | | |
| 208 | Bullock Endowment Trust Fund | | | \$ 1,000 | \$ 1,000 |
| 209 | MLK Community Recognition Fund | | | \$ 1,000 | \$ 1,000 |
| 210 | Special Improvement District Assessment | | | \$ 90,000 | \$ 90,000 |
| 211 | Smith Memorial Gardens Fund | | | | |
| | Total Expenditures | \$ 67,895 | \$ 47,045 | \$ 114,940 | |
| | Total Transfers | | | \$ - | |
| | | | | <u>\$ 114,940</u> | |

| Fund | Appropriation | | |
|---------------------------|---|------------|----------------------------|
| | Personnel | Operating | Total |
| 212 | Indigent Drivers Alcohol Treatment Fund | \$ 1,500 | \$ 1,500 |
| 213 | Enforcement and Education Fund | \$ 1,500 | \$ 1,500 |
| 214 | Law Enforcement Fund | \$ 14,000 | \$ 14,000 |
| 215 | Drug Law Enforcement Fund | \$ - | \$ - |
| 216 | Police Pension Fund | \$ - | \$ - |
| 217 | Court Clerk Computerization Fund | \$ 11,500 | \$ 11,500 |
| 218 | Court Computerization Fund | \$ 7,500 | \$ 7,500 |
| 219 | Court Special Projects Fund | \$ 8,500 | \$ 8,500 |
| 224 | State Highway Improvement Fund | \$ 34,100 | \$ 34,100 |
| 240 | Public Safety Endowment Fund | \$ 15,000 | \$ 15,000 |
| 250 | Special Projects Fund | \$ - | \$ - |
| 310 | Issue 2 Capital Projects Fund | \$ - | \$ - |
| 311 | Public Facilities Fund | \$ - | \$ - |
| 414 | Bond Retirement Fund | \$ - | \$ - |
| 508 | Electric Street Lighting Fund | \$ 152,900 | \$ 152,900 |
| 706 | Self-Funded Insurance Trust Fund | \$ 17,500 | \$ 17,500 |
| 810 | Fire Insurance Trust Fund | \$ - | \$ - |
| 811 | Contractor's Permit Fee Fund | \$ 2,000 | \$ 2,000 |
| TOTAL OTHER FUNDS | | | <u>\$ 472,940</u> |
| REFUSE FUND | | | |
| 205 | Refuse Fund | | |
| | Total Expenditures | \$ 997,145 | \$ 1,216,345 |
| | Total Transfers | | \$ 439,031 |
| | Total Refuse Operating Fund | | <u>\$ 1,655,376</u> |
| 206 | Refuse Improvement / Equipment Replacement Fund | \$ 320,000 | \$ 320,000 |
| TOTAL REFUSE FUNDS | | | <u>\$ 1,975,376</u> |
| ENTERPRISE FUNDS | | | |
| 602 | Water Operating Fund | | |
| | Total Expenditures | \$ 562,330 | \$ 1,061,474 |
| | Total Transfers | | \$ 80,214 |
| | Total Water Operating Fund | | <u>\$ 1,141,688</u> |
| 603 | Water Improvement / Equipment Replacement Fund | \$ 30,000 | \$ 30,000 |

| Fund | Appropriation | | |
|---|---------------|--------------|------------------------------|
| | Personnel | Operating | Total |
| 607 Sanitary Sewer Operating Fund | | | |
| Total Expenditures | \$ 343,900 | \$ 1,103,550 | \$ 1,447,450 |
| Total Transfers | | | \$ 238,740 |
| Total Sanitary Sewer Operating Fund | | | <u>\$ 1,686,190</u> |
| 608 Sanitary Sewer Improvement / Equipment Replacement Fund | | | |
| Total Expenditures | | \$ 380,000 | \$ 380,000 |
| Total Transfers | | | \$ - |
| Total Sanitary Sewer Improvement / Equipment Replacement Fund | | | <u>\$ 380,000</u> |
| 615 Stormwater Operating Fund | | | |
| Total Expenditures | \$ 242,885 | \$ 102,975 | \$ 345,860 |
| Total Transfers | | | \$ 44,184 |
| Total Stormwater Operating Fund | | | <u>\$ 390,044</u> |
| 616 Stormwater Improvement / Equipment Replacement Fund | | | |
| Total Expenditures | | \$ 160,000 | \$ 160,000 |
| Total Transfers | | | \$ - |
| Total Stormwater Improvement / Equipment Replacement Fund | | | <u>\$ 160,000</u> |
| TOTAL ENTERPRISE FUNDS | | | <u>\$ 3,787,922</u> |
| TOTAL EXPENDITURES ALL FUNDS | | | \$ 22,834,202 |
| TRANSFER ADJUSTMENT | | | <u>\$ (4,465,140)</u> |
| NET TOTAL EXPENDITURES | | | <u>\$ 18,369,062</u> |

SECTION II.

The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. The appropriation for contingencies can only be expended upon approval of three-fourths (3/4ths) vote of Council for items of expense constituting a legal obligation against the City, and for purposes other than those covered by the other specific appropriations herein made.

SECTION III.

This annual appropriation ordinance shall become effective as of the first day of January, 2020, as provided by Section 6.05 of the City Charter.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD THIS 9th day of December, 2019.

Mayor William D. Duncan

ATTEST:

CLERK OF COUNCIL

TO THE CLERK:

Please publish the foregoing Ordinance in the following summary form:

LEGAL NOTICE

Ordinance _____ of the Council of the City of Oakwood, Ohio was passed on the 9th day of December, 2019. Said ordinance was enacted to make appropriations for current expenses and other expenditures of the City of Oakwood, Ohio, for the period ending December 31, 2020.

LORI STACEL,
CLERK OF COUNCIL

City Attorney Robert F. Jacques

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said City of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council

ORDINANCE

BY: _____

NO. _____

TO REPEAL ORDINANCE NUMBER 4873 AND ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER 9, 2019 AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

Ordinance No. 4873 adopted December 10, 2018, as amended by Ordinance No. 4890 on July 15, 2019, is hereby repealed.

SECTION II.

An amended Personnel Schedule attached hereto and dated December 9, 2019, is hereby ratified, confirmed and approved. This schedule authorizes the City Manager to increase the top rates of compensation for office, management, part-time, seasonal and support employees in the amount shown on the schedule. A copy of this Personnel Schedule has been filed with the Finance Director of the city of Oakwood and is made a part of this ordinance through the doctrine of incorporation by reference.

SECTION III.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to implement these Personnel Schedule changes and adjustments in maximum compensation as quickly as possible in order to maintain morale and promote efficiency and on the basis of the public peace, health, safety and welfare. The compensation increases for the classifications covered by the Personnel Schedule shall be effective commencing with the pay period beginning December 23, 2019 and shall remain in effect until otherwise amended.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 9th day of December, 2019.

Mayor William D. Duncan

ATTEST:

CLERK OF COUNCIL

TO THE CLERK:

Publish the foregoing Ordinance in the summary form set forth below.

City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance _____ of the Council of the city of Oakwood, Ohio was passed on the 9th day of December, 2019. Said ordinance was enacted to ratify, confirm, and establish an amended Personnel Schedule to change certain provisions relating to maximum compensation rates and job classifications.

LORI STACEL
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council

AMENDED
PERSONNEL SCHEDULE

TO: CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: COMPENSATION AND FRINGE BENEFITS FOR MANAGEMENT,
OFFICE, CLERICAL, PART-TIME, SEASONAL AND SUPPORT
PERSONNEL

DATE: December 9, 2019

This Schedule is prepared to set forth total compensation (salaries and fringe benefits) for various management, office and clerical personnel positions established within the city of Oakwood.

SALARY - TOP RATES. The figures set forth below represent top rates of annual salary and/or wage compensation. The City Manager shall have authority to create and apply, with regard to any such personnel position, various lower compensation rates and schedule of time and satisfactory performance through which an employee may progress to the top rate of annual compensation. The top rates of compensation provided for in this Personnel Schedule shall be effective commencing with the pay period beginning December 23, 2019.

MANAGEMENT PERSONNEL

| | |
|--|--------------|
| City Manager | \$153,544.34 |
| Director of Personnel and Properties..... | \$120,193.57 |
| Public Safety Director | \$122,172.04 |
| Director of Engineering and Public Works..... | \$120,193.57 |
| Finance Director | \$120,193.57 |
| Leisure Services Director | \$120,193.57 |
| Law Director..... | \$120,193.57 |
| Assistant Finance Director | \$82,137.44 |
| Horticulturist..... | \$71,448.86 |
| Leisure Services Program Supervisor | \$69,353.34 |
| Captain..... | \$113,485.02 |
| Refuse Foreman..... | \$96,715.62 |
| Streets Foreman | \$96,715.62 |
| Foreman/Inspector/Engineering Technician | \$96,715.62 |
| Water and Sewer Line Maintenance Foreman..... | \$96,715.62 |
| Income Tax Administrator | \$88,506.49 |
| Code Enforcement Officer | \$75,220.46 |
| Water Plant Superintendent..... | \$88,124.75 |
| Health Commissioner | \$5,000.00 |
| Assistant Health Commissioner | \$1.00 |

OFFICE PERSONNEL

| | |
|----------------------------------|--------------|
| City Manager's Secretary II..... | \$33.16/hour |
| City Manager's Secretary I..... | \$31.48/hour |
| Account Clerk II..... | \$29.52/hour |
| Account Clerk I..... | \$24.57/hour |
| Department Head Secretary..... | \$29.26/hour |

SUPPORT PERSONNEL

| | |
|----------------|--------------|
| Custodian..... | \$21.55/hour |
|----------------|--------------|

PART-TIME CLERICAL AND SUPPORT PERSONNEL

| | |
|---|--------------|
| Part-Time Income Tax Clerk..... | \$17.46/hour |
| Part-Time Secretary/Desk Monitor/Receptionist..... | \$16.37/hour |
| Part-Time Athletic Field Maintenance/Groundskeeper..... | \$13.41/hour |
| Part-Time City Grounds Maintenance..... | \$13.41/hour |
| Teen Monitor..... | \$12.87/hour |
| Facility Supervisor..... | \$12.87/hour |

TEMPORARY SEASONAL PERSONNEL

| | |
|--|--------------|
| Pool Manager..... | \$15.38/hour |
| Intern..... | \$13.49/hour |
| Head Lifeguard..... | \$11.33/hour |
| General Maintenance including Smith Gardens..... | \$10.97/hour |
| Lifeguard..... | \$10.62/hour |
| Day Camp/Recreation Leader..... | \$10.12/hour |
| Concession Worker..... | \$9.41/hour |
| Pool Desk Attendant..... | \$9.41/hour |

FUTURE INCREASE IN TOP RATES OF COMPENSATION: The foregoing maximum rates of compensation for Management, Office, Support, Part-Time Clerical and Temporary Seasonal Personnel are effective as of the pay period beginning December 23, 2019. An additional increase of 2.85% shall be applied to Management, Office, Support, and Part-Time Clerical, and an additional increase of 1.75% shall be applied to Temporary Seasonal Personnel, to take effect as of the pay period beginning December 21, 2020, and to remain in effect thereafter until otherwise amended.

PAY PERIODS. The City Manager shall have authority to determine the length of pay periods. All employees are currently paid on a bi-weekly basis resulting in 26 pays per calendar year. However, there is an anomaly which occurs approximately every 11 years resulting in a calendar year with 27 bi-weekly pays. During these years with 27 pays, the annual salary, vacation and sick leave accrual rates set forth herein, as well as the rates set forth in applicable labor contracts, shall be exceeded so as to accommodate the additional pay.

COMBINATION OF POSITIONS. The City Manager shall have authority to combine any of the positions referred to in this Personnel Schedule so as to reduce the work force by decreasing the number of persons employed by the City. In the event the City Manager elects to combine positions as provided herein, he or she may, if he or she so chooses, make such adjustments to the compensation to be paid in connection with the combined positions as he or she, at his or her sole discretion, deems fair and equitable.

COMPENSATION ADJUSTMENTS FOR DEPARTMENT HEADS. The City Manager, at any time and from time to time, may grant to department heads, increases in compensation in excess of the rates established herein, when he, at his sole discretion, determines that adjustments are dictated by equity. Any such adjustment shall result in increased compensation to the subject department head and shall be paid as hereafter provided. In contemplating such adjustment, the City Manager may consider the expectations and performance of the subject department head; the department head's level of compensation as it relates to compensation levels of subordinate personnel in the same department; and other factors deemed relevant by the City Manager. Any supplement to a department head's annual compensation, as provided herein, shall be by way of additional city paid compensation to designated deferred compensation plans made available by the city.

COMPENSATION ADJUSTMENTS FOR CITY MANAGER. City Council, at any time, may grant to the City Manager increases in compensation in excess of the rates established herein, when they determine that such adjustments are warranted. Any such adjustment shall result in increased compensation to the City Manager and shall be paid as hereafter provided.

TEMPORARY INCREASES IN SALARY. The City Manager is authorized to make a temporary increase in salary paid to any employee who is required to assume the duties of a higher position for an extended, but temporary, period of time (as opposed to being promoted to a higher position). This temporary addition to salary may not be greater than twenty percent (20%) of the rate of compensation paid for the lower position.

PARAMEDIC CERTIFICATION PAYMENT. In addition to annual salary compensation, an employee in the Captain classification who holds and maintains a paramedic certification shall receive a lump sum payment of \$1,494.32 in 2020, and \$1,539.41 in 2021. An employee who receives his/her paramedic certification during the course of a calendar year shall receive a pro-rated amount.

CLOTHING ALLOWANCE. In addition to annual salary compensation, an employee in the Captain classification shall receive an annual lump sum clothing allowance payment of \$500 to be paid at the end of each calendar year.

FULL-TIME. These are employees scheduled to work at least 40 hours per week throughout the year. Said employees shall have all rights, benefits and obligations as determined by the Personnel Schedule and Personnel Regulations.

REGULAR PART-TIME. These are employees who normally work less than 40 hours per week and whose work is typically not seasonal in nature. Eligibility for regular part-time employees to be entitled to benefits as outlined in the Personnel Schedule or the Personnel Regulations shall be determined by the City Manager.

TEMPORARY. These are employees who work less than 1,250 hours per year. Said employees shall not be entitled to any benefits outlined in the Personnel Schedule or the Personnel Regulations, except for holidays which may occur during their employment.

SPECIAL EMPLOYEES. The City Manager is authorized to enter into agreements to hire individuals as employees so as to obtain their personal services which the City Manager determines are in the best interests of this city. Such employees shall be known as "Special Employees," whose status shall be temporary and whose term of employment shall be set by individual agreement. The compensation and benefits for such Special Employees shall be set and controlled by contractual

agreements which shall be limited by budgetary authorization intended for such purposes. The city shall make deductions from the Special Employee's pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

HOLIDAYS. The City Manager may substitute holidays listed under this section, however, no additional holidays shall be granted to the personnel positions listed in this schedule. The holidays currently recognized are: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and the employee's birthday. Except as may be otherwise provided by law, if a holiday falls on a Saturday, the preceding Friday will instead be observed as a holiday; and where a holiday would fall on a Sunday, the following Monday will instead be observed as a holiday.

PERSONAL LEAVE. Employees in the positions covered by this Personnel Schedule shall receive three (3) days of paid personal leave annually.

SICK LEAVE. Sick leave for all personnel positions covered by this Personnel Schedule shall be accrued at a day and a quarter per month, per year, with a maximum accumulation of one hundred fifty (150) days. This provision, and no other provision in this ordinance, shall also apply retroactively for calendar years 2018 and 2019 as a limited amendment of Ordinances No. 4853 and 4873.

VACATIONS. Employees in the positions covered by the Personnel Schedule receive the following annual vacations with pay:

- a. Employees who have completed a minimum of one year service, but less than six work years, shall receive twelve (12) working days of vacation.
- b. Employees who have completed six work years, but less than eleven work years, shall receive fourteen (14) working days of vacation.
- c. Employees who have completed eleven work years, but less than sixteen work years, shall receive eighteen (18) working days of vacation.
- d. Employees who have completed sixteen work years, but less than twenty work years, shall receive twenty (20) working days of vacation.
- e. Employees who have completed twenty work years, but less than twenty-five work years, shall receive twenty-two (22) working days of vacation.
- f. Employees who have completed twenty-five work years or more shall receive twenty-five (25) working days of vacation.
- g. Every employee shall be entitled to one additional day of vacation for each three days of unused sick leave that employee may have accumulated in excess of ninety days. This exchange of sick leave for vacation leave shall be limited to a maximum of five additional vacation days for any work year. The additional vacation leave obtained through this type of exchange must be used during the work year in which the exchange is made, except that up to two such additional vacation days may be accumulated so as to be carried forward to a succeeding year.

VACATION ACCUMULATION. The City Manager is hereby authorized to establish a regulation limiting the amount of vacation time an employee may accumulate. In so doing, the City Manager may distinguish between various employee classifications.

VACATION CONVERSION. Prior to September 30th of each year, the City Manager shall be permitted to convert to cash up to twenty-two (22) but not less than five (5) days of accumulated vacation. Department heads may be permitted to convert up to fourteen (14) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. The classifications of Assistant Finance Director, Income Tax Administrator, and Captain may be permitted to convert up to eight (8) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. In order to be eligible to convert vacation, the employee must meet certain performance standards which are to include, as a minimum, but not exclusively, better than satisfactory work toward completion of organization work goals and objectives and the discrete and conservative use

of sick leave. The City Manager is authorized to promulgate such performance criteria and to approve such buy backs if, in his opinion, such criteria have been met. Under special circumstances, the City Manager may permit eligible employees to convert additional accumulated vacation over and above the maximum number of days enumerated above. Any decision on vacation conversion by the City Manager shall be his exclusive management right and shall be final. Since vacation conversion is compensation to the employee, it shall be subject to all of the applicable rules and provisions relative to the Public Employees' Retirement System of Ohio.

RETIREMENT. The following provision shall apply concerning the conversion of sick leave unused at the time of retirement into retirement pay:

- a. Any employee who is eligible for retirement under the provisions of the Ohio Public Employees Retirement System (OPERS), the Ohio Police and Fire Pension Fund (OP&F), or any other plan of the State of Ohio or the city of Oakwood, will be compensated for accumulated sick leave of sixty days or more at the time of retirement, upon the basis of one day's pay for every three days of sick leave.
- b. If the employee has accumulated one hundred twenty days of sick leave or more, he or his beneficiary will be compensated at retirement or death at one day's pay for each two days of sick leave, on the same terms as outlined above, but in place of the formula outlined above.

MANAGEMENT BANQUET - CLERICAL AND OFFICE LUNCHEON - COFFEE. The council may from time to time, elect to give a Management Banquet for its management personnel and guests. The City Manager is authorized to furnish coffee or other amenities, from time to time, for office use at the location designated by him; and is also authorized to furnish a special luncheon for the office personnel, from time to time.

AUTOMOBILES. In the event a City employee must use his or her own personal vehicle in the conduct of official City business, the employee shall receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for each mile driven while engaged in such official business provided, however, that:

- a. The employee has prior permission of his or her respective department head to utilize his or her own vehicle; and
- b. Requests for reimbursement are filed on a monthly basis, not later than the last working day of each month. If, however, an employee's official business necessitates his or her absence from the City at month's end, he or she may file his or her reimbursement request immediately upon his or her return.

The City Manager, at his or her sole discretion, shall have the right to promulgate rules and regulations relating to the use of both City vehicles and employees' personal vehicles on City business. The City Manager may also designate those employees who are subject to said rules and regulations and may determine which employees are authorized for personal use of city vehicles.

JOB SPECIFICATIONS AND DUTIES. All compensation and fringe benefits referred to in this Schedule shall be paid and granted upon the basis of each employee performing the duties described in the job specification for each position, as those specifications may be amended from time to time, and in accordance with applicable state and federal requirements. Should an employee be hired with exceptional or professional skills, compensation paid to the employee may be increased by authorization from the City Manager.

DEFERRED COMPENSATION. The City is hereby authorized to enter into deferred compensation plans for any of its management, office, and clerical personnel. As additional compensation to the City Manager, the City Council may approve the payment of deferred compensation annually to the Ohio Public Employees Deferred Compensation Program.

CONTRACT PERSONNEL AS OPPOSED TO CITY EMPLOYEES. The City Manager is authorized to fill any of the positions listed in this Personnel Schedule by contract, as opposed to using employees of this City. When this occurs, the term of that contract will apply, up to the maximum allowed by this Schedule.

EMPLOYEE ASSISTANCE PROGRAM. The City Manager may enter into an agreement with a private institution to provide support services to employees to include alcohol and drug rehabilitation, family counseling, retirement planning, etc. The cost of such services may be paid for by the City or the employee as determined by the City Manager.

SECTION 125 BENEFIT PROGRAM. The City Manager is hereby authorized to make available to all eligible employees a Section 125 Benefit Program commonly referred to as a Cafeteria Benefit Plan. The benefits provided under such a plan shall be determined by the City Manager upon consultation with City Council.

SICK LEAVE DONATION PROGRAM. The City Manager is hereby authorized to establish a sick leave donation program for full-time and permanent part-time employees. This program will be available to qualified employees, consistent with regulations adopted by the City Manager, and under those circumstances in which other available leave benefits have been exhausted.

HEALTH CARE, VISION AND DENTAL INSURANCE COVERAGE. All full-time city employees shall have access to health, dental and vision insurance:

- a. Health insurance coverage for inpatient and outpatient services, preventative services, physician/office services, hospice, home health care, diagnostic services, emergency and urgent care, mental health and substance abuse services, and prescription drug coverage. Such healthcare coverage may be provided through a High Deductible Health Plan with a Health Savings Account (HSA) or a Health Reimbursement Account (HRA) for employees who do not qualify for an HSA. The city may contribute to an employee's HSA and HRA an annual amount as determined by the City Manager
- b. Dental insurance.
- c. Vision care coverage to include an annual eye exam and partial payment for ophthalmic lenses, contact lenses and frames.

The City Manager is hereby authorized to adopt a policy requiring employees eligible for health and dental insurance to contribute towards a portion of the costs of the monthly premiums for said health and dental insurance coverage.

City Council members shall also be eligible to be covered by the city's health, vision, and dental programs provided, however, that participation shall be at the election of the City Council member who shall bear the full cost of the monthly premium.

PAYMENT IN LIEU OF HEALTH INSURANCE. Any employee eligible for health insurance benefits and who elects not to enroll in the city's health insurance plan and signs a form as required by the AFFORDABLE CARE ACT that he/she is covered under another health insurance plan, shall be entitled to compensation equal to 25% of the annual insurance premium which would have been paid by the city on behalf of the employee. In order to qualify, an employee must be eligible at the start of the benefit year and may not be enrolled in the city's health insurance plan during any portion of the benefit year. Payment under this program shall be made at the conclusion of the benefit year.

LIFE INSURANCE. Except under medical or other exceptional circumstances which make the purchase of life insurance benefits impracticable, management personnel shall receive the following types of life insurance coverage.

- a. Forty thousand dollar (\$40,000) term life insurance for each person holding a management position, and
- b. Additional life insurance in the following amounts:

| | |
|--|------------|
| City Manager | \$ 200,000 |
| Department Heads and Safety Department Captains | \$ 100,000 |

Assistant Finance Director, Water Plant Superintendent,
Leisure Services Program Supervisor, Horticulturist, Refuse Foreman,
Streets Foreman, Foreman/Inspector/Engineering Technician,
Water and Sewer Line Maintenance Foreman,
Income Tax Administrator, and Code Enforcement Officer \$75,000

The reference to dollar amounts of life insurance coverage shall not preclude the purchase of additional life insurance and related products, including but not limited to annuity investments, to enhance the current life insurance program for management personnel. If an employee retires from city service and is immediately eligible to receive retirement benefits, the employee shall have the option to: 1) receive any cash values that may have accumulated on his or her behalf; 2) convert the benefits under the terms and conditions of the policy; or, 3) continue the existing benefits as his or her own policy.

Office personnel, and clerical and support personnel shall be provided with \$40,000 term life insurance for each person holding such a position.

Except as may be otherwise provided in an applicable collective bargaining agreement, all life insurance referred to in this Personnel Schedule shall be provided six months after the date of hiring, with the City Manager to have authority to direct that it be provided at an earlier date within those first six months through a written memorandum to the Personnel Officer and the Finance Director.

I hereby certify that this Amended Personnel Schedule is a true and correct compilation of the Personnel Schedule and all amendments thereto previously enacted by the Council for the city of Oakwood.

NORBERT S. KLOPSCH, CITY MANAGER

DATE: December 9, 2019

AN ORDINANCE

BY: _____ NO. _____

TO SET THE MAXIMUM COMPENSATION OF THE OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF COURTS, AND BAILIFF, AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO:

SECTION I.

Ordinance No. 4874 adopted December 10, 2018 is hereby repealed.

SECTION II.

The maximum annual salary for the Clerk of the city of Oakwood Municipal Court shall be \$57,484.10. The top rate of pay for the Bailiff of the Oakwood Municipal Court shall be \$592.92 per month. In accordance with O.R.C. 1901.31 (C) (3), three-fifths of the annual compensation for these positions shall be paid from the treasury of this City and two-fifths from the treasury of Montgomery County.

SECTION III.

The top rate of pay for the Deputy Clerk of Courts shall be \$50,170.26.

SECTION IV.

The hourly rate for the part-time Probation Officer shall be \$23.48.

SECTION V.

The foregoing maximum annual salaries shall be effective with the pay period beginning December 23, 2019. An additional increase of 2.85% shall take effect as of the pay period beginning December 21, 2020, and shall remain in effect thereafter until otherwise amended.

SECTION VI.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to authorize such compensation as quickly as possible for the protection of morale among the court personnel and on the basis of preservation of the public peace, health, safety and welfare.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, the _____ day of _____, 2019.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below under the heading Legal Notice.

City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance No. _____ of the Council of the City of Oakwood, Ohio was passed on the 9th day of December, 2019. Said ordinance was enacted to determine the compensation of the Municipal Court employees, and to declare an emergency.

By order of the Council of the City of Oakwood, Ohio.

Lori Stacel, Clerk of Council

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

Lori Stacel, Clerk of Council

A RESOLUTION

BY: _____

NO. _____

AUTHORIZING A TEN-YEAR PARTICIPATION AGREEMENT WITH THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM.

WHEREAS, the Board of County Commissioners of Montgomery County, Ohio established the Economic Development/Government Equity (ED/GE) program in 1991 to spur economic growth as well as create regional cooperation between its jurisdictions; and

WHEREAS, cooperation and coordination between the County and the Program Members is intended to promote economic health and improve the economic opportunities of the people in Montgomery County by assisting in the establishment or expansion within the County of industrial, commercial, or research facilities and by creating and preserving job employment opportunities for the people of Montgomery County; and

WHEREAS, Oakwood has participated in the ED/GE program since its inception in 1991, and is scheduled for another renewal for the period January 1, 2020 through December 31, 2029; and

WHEREAS, the Montgomery County program guarantees that no member jurisdiction will ever contribute more funding than it will receive; and

WHEREAS, the city of Oakwood has received positive return on investment from participation to date in the ED/GE program, and anticipates more worthwhile economic development projects forthcoming from continuing participation; and

WHEREAS, it is in the best interests of the City to enter into the ED/GE program participation agreement; and

WHEREAS, each participating jurisdiction in the ED/GE Program is required to execute a formal agreement with the Board of County Commissioners on behalf of Montgomery County, Ohio to participate in the ED/GE Program and receive the benefits therefrom; and

WHEREAS, the Council of the city of Oakwood wishes to continue its participation in the ED/GE Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO:

SECTION I.

That the City Manager, or his designee, is hereby authorized and directed on behalf of the city of Oakwood to enter into an ED/GE Participation Agreement with Montgomery County for a 10-year period beginning January 1, 2020 through December 31, 2029, and to execute such collateral agreements as may directly relate to such participation.

SECTION II.

This resolution shall take effect upon its passage.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this ___ day of _____, 2019.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

No publication is required.

City Attorney Robert F. Jacques

AN ORDINANCE

BY: _____

NO. _____

AMENDING SECTION 147.03, *DEPOSITORIES*, OF THE OAKWOOD ADMINISTRATIVE CODE TO UPDATE PROCEDURES USED TO DESIGNATE DEPOSITORIES FOR THE CITY'S ACTIVE FINANCIAL DEPOSITS.

WHEREAS, upon the recommendation of the Finance Director, Council desires to amend Section 147.03 to update the procedures to be followed when designating depositories for the city's active financial deposits;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Section 147.03, *Depositories*, of the Oakwood Administrative Code, is hereby amended to read as follows, with new text in **bold** font and deleted text in ~~strikethrough~~ font.

147.03 DEPOSITORIES

- A. The City Manager shall determine the amount of public money which shall be available in active deposits to provide the needed cash flow to pay warrants and checks issued and outstanding (and to provide for a reasonable surplus in addition thereto) and to maximize the interest received on public money of the City. Interest on active deposits shall be paid or credited by the City's designated eligible depositories at least quarterly and when funds are withdrawn, computing the time of payment from the date of deposit. No service charge shall be made by a designated eligible depository against an Active Deposit or collected from or paid by the Finance Director unless such service charge is the same as is customarily imposed by institutions in the City receiving money on deposit subject to check, in which event the Finance Director may pay such charge. All public money of the City not deposited in active deposits shall be invested pursuant to Section 147.05.
- B. The City Manager shall, by a writing filed with the Clerk of Council, designate one or more eligible depositories as the depository or depositories of the City's active deposits. In making such designation the City Manager shall consider the following:
1. the convenience of the location of the depository's offices;
 2. the rate or rates of interest, if any, which the depository will pay on the active deposits;
 3. the service charges, if any, that will be made for the services of the depository; and
 4. any other terms or conditions with respect to the depository's acceptance of the City's active deposit.
- C. The initial designation of depositories for the City's active deposits shall be for a period not to exceed six months and may be made without giving the notice hereinafter provided for. Subsequent designations of depositories for the City's active deposits shall be for a period specified in the City Manager's written designation of depositories described in the paragraph immediately above. That period shall not be less than six months nor longer than five years, and such subsequent designations shall be made after the Finance Director has provided written notice by first class mail to the eligible depositories having an office in the City, and such other eligible depositories as determined by the Finance Director, at least sixty days prior to the date of the action of the City Manager designating depositories for the City's active deposits. **If the City has an existing relationship with a particular depository and desires to renew or expand the same, the written notice required by this subsection need only be made to such existing depository. Written notice to all eligible depositories having an office in the City shall only be required in the event that the City desires to change depositories or otherwise seeks new depository relationships.**

- D. Such notice shall provide an estimate of the maximum amount of such active deposits at any time during the period of designation and the proposed period of designation or alternative proposed periods of designation. It shall also request such depositories to apply in writing for all or part of the City's active deposits on or before a date and time specified in the notice. The notice to such eligible depositories shall request them to state in their applications the amount of active deposits which will be accepted by them, the rate of interest, if any, which will be paid on such active deposits, the service charges, if any, which will be made for their services, other terms or conditions with respect to the acceptance of all or part of the City's active deposits, and the location of their offices in the City, or if none are located in the City, the location of their nearest offices.
- E. The notice shall include or request any other information to or from such depositories which the Finance Director deems relevant. The request for written applications or their receipt does not constitute a bidding procedure. Rather, such request and application are intended to provide relevant information to the City Manager for his or her designation pursuant to this section and to provide notice to eligible depositories that the City will receive applications and proposals for its active deposits.
- F. The City Manager shall enter into a contract, approved as to form by the City Attorney, with such depositories for the appropriate period determined pursuant to this section. Such contract shall establish the rate of interest, if any, to be paid by the depository on the City's active deposits, the service charges, if any, the depository may make for its services, and other terms or conditions of the depository's acceptance of the City's active deposits.
- G. The limitations of the aggregate amounts of public money that may be on deposit with eligible depositories as set forth in the Uniform Depository Act shall apply under this chapter.

SECTION II.

This ordinance shall be and remain in force from and after the earliest date permitted by law.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this _____ day of _____, 2019.

Mayor William D. Duncan

ATTEST:

Clerk of Council

TO THE CLERK:

Please publish by incorporating into the Codified Ordinances of the city.

City Attorney Robert F. Jacques