



Regular Council Meeting

Tuesday, April 19, 2022 at 7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Roll Call
5. Motion to receive and file Council Caucus minutes of MONTH DAY, 2018
 - a. Special Council Meeting Minutes of December 7, 2021

Attachments:

- **Special Council Meeting Minutes of December 7, 2021** (Special_Council_Meeting_Minutes_December_7__2021.doc)

- b. Regular Council Meeting Minutes of December 21, 2021

Attachments:

- **Regular Council Meeting Minutes of December 21, 2021** (Regular_Council_Meeting_Minutes_December_21__2021.doc)

- c. Regular Council Meeting Minutes of January 18, 2022

Attachments:

- **Regular Council Meeting Minutes of January 18, 2022** (Regular_Council_Meeting_Minutes_of_January_18__2022.doc)

- d. Regular Council Meeting Minutes of February 15, 2022

Attachments:

- **Regular Council Meeting Minutes of February 15, 2022** (Regular_Council_Meeting_Minutes_of_February_15__2022.doc)

- e. Regular Council Meeting Minutes of March 15, 2022

Attachments:

- **Regular Council Meeting Minutes of March 15, 2022** (Regular_Council_Meeting_Minutes_of_March_15__2022.doc)

6. Persons having business before Council
7. Mayor's Report
8. Council Comments
9. Legislation
 - a. Ordinance 2022-4 Storage of Junk Vehicles-660.07

Attachments:

- **Ordinance 2022-4 Storage of Junk Vehicles-660.07** (Ordinance_2022-4_Storage_of_Junk_Vehicles-660-.07.docx)

b. Resolution 2022-7 Walton Hills Lake Club Agreement

Attachments:

- **Resolution 2022-7 Walton Hills Lake Club Agreement** (Resolution_2022-7__Walton_Hills_Lake_Agreement.docx)

c. Resolution 2022-8 ODOT Salt Program

Attachments:

- **Resolution 2022-8 ODOT Salt Program** (Resolution_2022-8_ODOT_Salt_Program.docx)

d. Resolution 2022-9 Medical Insurance Renewal

Attachments:

- **Resolution 2022-9 Medical Insurance Renewal** (Resolution_2022-9_Medical_Insurance.docx)

e. Resolution 2022-10 Edward Rahel Appointment to BZA

Attachments:

- **Resolution 2022-10 Edward Rahel Appointment to BZA** (Resolution_2022-10_Appointment_of_Edward_Rahel_to_BZA.docx)

10. Old and New Business

11. Adjournment

Minutes of a Special Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
December 7, 2021 in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Kolograf called the meeting to order at 9:52 p.m. Roll call is taken. Councilpersons present were Denny Linville, Jennifer Allen, Gloria Terlosky, Mary Brenner-Miller, Raymond Weeden, and Brian Spitznagel. Also present are our fiscal officer, Angela Revay, and our law solicitor, John Montello.

Executive Session. Councilwoman Allen makes a motion to enter into Executive Session. Seconded by Councilman Spitznagel. Six ayes approve.

Motion to Reconvene from Executive Session. Councilwoman Allen makes a motion to reconvene from Executive Session. Seconded by Councilwoman Brenner-Miller. Six ayes approve.

Motion to Adjourn. Councilwoman Allen makes a motion to adjourn. Seconded by Councilwoman Brenner-Miller. Six ayes approve.

Respectfully submitted,

Angela Revay
Accountant/Tax Administrator

Minutes of a Regular Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
December 21, 2021 in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Kolograf called the meeting to order at 7:50 p.m. Pledge of Allegiance is spoken. Mayor Kolograf asks for a moment of silence for our deceased residents Matthew Danko, Leonard Iacco, Terry Lew, and Geraldine Dushaw as well as for all of our service personnel. Roll Call is taken. Present are Councilman Linville, Councilwoman Brenner-Miller, Councilwoman Allen, Councilwoman Terlosky, Councilman Weeden, and Councilman Spitznagel. Also present is our Law Solicitor, John Montello, and Fiscal Officer, Angela Revay.

Meeting minutes approvals. Mayor Kolograf makes a motion to receive and file the regular council meeting minutes as follows:

Item A: Special Council meeting minutes of June 29, 2021. Councilwoman Terlosky makes a motion to receive and file the Special Council meeting minutes of June 29, 2021. Seconded by Councilwoman Brenner-Miller. Six ayes approve.

Item B: Special Council meeting minutes of October 5, 2021. Councilman Weeden makes a motion to receive and file the Special Council meeting minutes of October 5, 2021. Seconded by Councilwoman Terlosky. Six ayes approve.

Item C: Regular Council meeting minutes of October 19, 2021. Councilwoman Allen makes a motion to receive and file the Special Council meeting minutes of October 19, 2021. Seconded by Councilwoman Terlosky. Six ayes approve.

Item D: Regular Council meeting minutes of November 16, 2021. Councilwoman Allen makes a motion to receive and file the Special Council meeting minutes of November 16, 2021. Seconded by Councilwoman Brenner-Miller. Six ayes approve.

Persons Having Business Before Council.

Fred Neilsen stands and thanks Denny Linville and Gloria Terlosky for their dedication to our Village over the years.

Mayor's Report. Mayor Kolograf gives the Mayor's Court Report.

Council Comments. Councilwoman Allen asks if there could be some meetings early on in January to deal with some Recreation Department issues that need to be addressed as quickly as possible.

LEGISLATION:

Item A. Ordinance 2021-20. Revised 260. Councilwoman Allen introduces for suspension Ordinance 2021-20, an Ordinance repealing and replacing Chapter 260.18 of the Village Codified Ordinances, and declaring an emergency. Seconded by Councilman Linville. Six ayes approve. Councilwoman Allen asks for adoption of Ordinance 2021-20. Seconded by Councilman Linville. Six ayes approve.

Item B. Ordinance 2021-21. Permanent Appropriations for 2022. Councilwoman Brenner-Miller introduces for suspension Ordinance 2021-21, an Ordinance to make permanent appropriations for current expenses and

other expenditures for the Village of Walton Hills, State of Ohio, during the fiscal year beginning January 1, 2022, and ending December 31, 2022, and declaring an emergency. Seconded by Councilman Linville. Six ayes approve. Councilwoman Brenner-Miller asks for adoption of Ordinance 2021-21. Seconded by Councilman Linville. Six ayes approve.

Item 11 – Old and New Business. Mayor Kolograf and council members thank Gloria Terlosky and Denny Linville for their service on council.

Denny Linville and Gloria Terlosky also speak and give thanks for the time spent on council.

Councilwoman Allen makes a motion for adjournment of the Regular Council Meeting of December 21, 2021. Seconded by Councilman Linville. Six ayes approve.

Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Angela Revay
Fiscal Officer

Minutes of a Regular Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
January 18, 2022 in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Kolograf called the meeting to order at 7:00 pm. Pledge of Allegiance is spoken. Mayor Kolograf asks for a moment of silence for our deceased residents Jerome Weitzman, Velma Drotleff, Connie Ann Jastrzebski, and Nancy Jajola as well as for our active duty Armed Forces. Roll Call is taken. Present are Councilman Neilsen, Councilwoman Brenner-Miller, Councilwoman Allen, Councilman Weeden, and Councilman Spitznagel. Also present is our Law Solicitor, John Montello, and Fiscal Officer, Angela Revay.

Persons Having Business Before Council.

James Conkey from 7700 Sommerset stands and has two questions for Council. First, whose responsibility is it when a fire hydrant gets buried to unbury it? Second, what is the progress that is being made on 7801 Sommerset Drive? Mayor Kolograf says he will find out about the fire hydrant being buried by snow and bushes that have been pushed down on top of it. Mayor Kolograf says he has a phone conference with the Chief, Mr. Schade tomorrow and he will ask him them. As for the Sommerset Drive progress, Mayor Kolograf gives the update on the status of that property.

Mayor's Report. Mayor Kolograf gives the Mayor's Court Report.

Council Comments. Councilman Weeden thanks Mr. Conkey for digging out that fire hydrant.

No further Council comments.

LEGISLATION:

Item A. Resolution 2022-1. Street Commissioner. Councilwoman Allen introduces for suspension Resolution 2022-1, a resolution confirming the appointment of Robert Kalman as Street Commissioner for the Village of Walton Hills, Ohio, for the period beginning February 1, 2022, through January 31, 2023, and declaring an emergency. Seconded by Councilwoman Brenner-Miller. Five ayes approve. Councilwoman Allen asks for adoption of Resolution 2022-1. Seconded by Councilman Spitznagel. Five ayes approve.

Item B. Resolution 2022-2. Recreation Director. Councilman Spitznagel introduces for suspension Resolution 2022-2, a resolution confirming the appointment of Natalie Buc as the part-time Recreation and Community Life recreation director for the Village of Walton Hills, Ohio, for the period beginning February 1, 2022, through January 31, 2023, and declaring an emergency. Seconded by Councilman Weeden. Five ayes approve. Councilman Spitznagel asks for adoption of Resolution 2022-2. Seconded by Mr. Weeden. Five ayes approve.

Item C. Resolution 2022-3. Chagrin Valley Engineering. Councilman Weeden introduces for suspension Resolution 2022-3, a resolution reappointing Joseph L. Gigliotti as the Village Engineer, fixing the duties and compensation for said position, providing for other municipal engineering services for the Village of Walton Hills from Chagrin Valley Engineering, LTD, and declaring an emergency. Seconded by Councilman Neilsen. Five ayes approve. Councilman Weeden asks for adoption of Resolution 2022-3. Seconded by Mr. Neilsen. Five ayes approve.

Item D. Resolution 2022-4. Sale of Property by Internet Auction. Councilwoman Brenner-Miller introduces for suspension Resolution 2022-4, a resolution providing for the sale of personal property by internet auction

with the terms and conditions thereof in 2022 and declaring an emergency. Seconded by Councilwoman Allen. Five ayes approve. Councilwoman Brenner-Miller asks for adoption of Resolution 2022-4. Seconded by Councilwoman Allen. Five ayes approve.

Item 11 – Old and New Business. Mayor Kolograf touches on a few points.

Councilman Spitznagel announces that there will be a Recreation Committee meeting next Tuesday, January 25th, at 7 p.m.

Angela says that financials will be on their way to them by the end of this week.

Councilwoman Allen makes a motion for adjournment of the Regular Council Meeting of January 18, 2022. Seconded by Councilwoman Brenner-Miller. Five ayes approve.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Angela Revay
Fiscal Officer

Minutes of a Regular Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
February 15, 2022 in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Kolograf called the meeting to order at 7:25 p.m. Pledge of Allegiance is spoken. Mayor Kolograf asks for a moment of silence for our deceased residents Tom Baresich, Duane Lorens, Arthur D'Amico, Brandon Foster, Barbara Patterson, Bedford School Board Member and Gary Dockery. Roll Call is taken. Present are Councilman Neilsen, Councilwoman Brenner-Miller, Councilwoman Allen, Councilman Weeden, and Councilman Spitznagel. Also present is our Law Solicitor, John Montello, and Fiscal Officer, Angela Revay.

Persons Having Business Before Council.

None today.

Mayor's Report. Mayor Kolograf gives the report from Mayor's Court, Police and Recreation.

Council Comments. Councilman Nielsen reads an Economic Development report from Tom Jordan with updates about Krick Rd, Smith & Oby and Western Reserve Battery property; Councilwoman Brenner-Miller reads a report from Police Chief Jaworski about de-escalation training that officers attended in Oakwood; Councilman Spitznagel reads an update from the Recreation department about the Parker Program dates and times for the 2022 season; Councilman Weeden reads the Street Commissioner's report.

There will be a Finance Committee Meeting on March 8, 2021.

Old and New Business.

Motion to Enter into Executive Session to Discuss Economic Development (7845 Northfield Rd; 7620 Northfield Rd) and to discuss Personnel-BZA Position. Councilman Neilsen makes a motion to enter into Executive Session at 7:50 pm. Seconded by Councilwoman Brenner-Milller; Five ayes approve.

Motion to Reconvene from Executive Session. Councilwoman Allen makes a motion to reconvene from Executive Session at 9:11 pm. Seconded by Councilman Neilsen. Five Ayes approve.

Adjournment. Councilwoman Allen makes a motion to adjourn. Seconded by Councilman Neilsen. Five ayes approve; meeting adjourned at 9:12 pm.

Respectfully submitted,

Angela Revay
Fiscal Officer

Minutes of a Regular Council Meeting of the
Village of Walton Hills, Ohio held Tuesday
March 15, 2022 in the
Village Hall Council Chambers at 7595 Walton Road

Mayor Kolograf called the meeting to order at 9:33 p.m. Pledge of Allegiance is spoken. Mayor Kolograf asks for a moment of silence for our deceased residents Mark Lucas, Elly Bogner, Ingrid Kitzler, Eleanor Grant, William St. John, and Maria Bujak as well as for the people of Ukraine. There is also a moment of silence for the day of remembrance designated by Cleveland today for all of those lost to COVID-19 at 6 p.m. Roll Call is taken. Present are Councilman Neilsen, Councilwoman Brenner-Miller, Councilwoman Allen, Councilman Weeden, and Councilman Spitznagel. Also present is our Law Solicitor, John Montello, and Fiscal Officer, Angela Revay.

Persons Having Business Before Council.

None today.

Mayor's Report. Mayor Kolograf gives the Mayor's Court Report.

Council Comments. Councilwoman Allen announces that there will be an economic development committee meeting for the April 5th meeting starting at 5:30.

No further Council comments.

LEGISLATION:

Item A. Resolution 2022-5. Contract for water main replacement. Councilman Weeden introduces for suspension Resolution 2022-5, a resolution authorizing the Mayor and the fiscal officer of the Village of Walton Hills to enter into a contract with Trax Construction Company for two-lane water main replacement, and declaring an emergency. Seconded by Councilman Spitznagel. Five ayes approve. Councilman Weeden asks for adoption of Resolution 2022-5. Seconded by Councilwoman Brenner-Miller. Five ayes approve.

Item B. Ordinance 2022-1. Police body-worn cameras. Councilwoman Brenner-Miller introduces for suspension Ordinance 2022-1, a resolution authorizing the Mayor and fiscal officer to enter into an agreement with Motorola Solutions for the purchase of an EL5 Back Office Server to include licensing, software, and all components for the police body-worn cameras as well as six new body-worn cameras in conjunction with a grant received by Ohio Criminal Justice Services CJS in the Village of Walton Hills, Ohio, and declaring an emergency. Seconded by Councilman Weeden. Five ayes approve. Councilwoman Brenner-Miller asks for adoption of Ordinance 2022-1. Seconded by Councilwoman Allen. Five ayes approve.

Item C. Ordinance 2022-2. Amendment of Chapter 1016 of the Codified Ordinances. Councilman Spitznagel asks for suspension of Ordinance 2022-2, an Ordinance amending Chapter 1016 of the Codified Ordinances of the Village of Walton Hills, Ohio, with respect to Thomas J. Young Park in the Village of Walton Hills, and declaring an emergency. Seconded by Councilman Neilsen. Five ayes approve. Councilman Spitznagel asks for passage of Ordinance 2022-2. Seconded by Mr. Neilsen. Five ayes approve.

Item D. Ordinance 2022-3. Amendment of Chapter 1062 of the Codified Ordinances. Councilwoman Allen introduces for suspension Ordinance 2022-3, an Ordinance amending Chapter 1062 of the Codified Ordinances of the Village of Walton Hills, Ohio, with respect to the Community Hall Multipurpose Room and Banquet Hall

and declaring an emergency. Seconded by Councilman Neilsen. Five ayes approve. Councilwoman Allen asks for adoption of Ordinance 2022-3. Seconded by Councilwoman Brenner-Miller. Five ayes approve.

Item 11 – Old and New Business. Mayor Kolograf touches on a few points. Morning Meeting with the Mayor tomorrow at 9:00 am. There will be a Special Council Meeting on April 5th.

Motion to Enter Into Executive Session to discuss BZA Appointment and to Discuss Personnel-finance Department. Councilwoman Allen makes a motion to enter into executive session at 9:43 pm. Seconded by Councilman Neilsen. Five ayes approve.

Motion to Reconvene from Executive Session. Councilman Neilsen makes a motion to reconvene from Executive Session at 10:41 pm. Seconded by councilwoman Allen. Five ayes approve.

Adjournment. Councilman Neilsen makes a motion adjourn at 10:42 pm. Seconded by Councilwoman Allen. Five ayes approve.

Respectfully submitted,

Angela Revay
Fiscal Officer

VILLAGE OF WALTON HILLS, OHIO

ORDINANCE NO. 2022-4

INTRODUCED BY:

AN ORDINANCE AMENDING SECTION 660.07 ENTITLED STORAGE OF JUNK VEHICLES OF THE CODIFIED ORDINANCES OF THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Council desire to amend said section to increase enforcement and penalties for storage of junk vehicles.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO:

SECTION 1. That Codified Ordinance Section 660.07 which presently reads as follows:

660.07 STORAGE OF JUNK VEHICLES.

(a) As used in this section, "junk motor vehicle" means any motor vehicle that is dismantled, extensively damaged, or inoperative, or which is in such condition that operation of the same on public ways would constitute a violation of law.

(Adopting Ordinance)

(b) Except as otherwise permitted by law, the storage of any junk motor vehicle upon any lot or land situated within the Village is hereby declared to be a public nuisance and is prohibited, unless the same is within a completely enclosed building or garage.

(c) No person shall maintain or permit to be maintained the nuisance described in division (b) of this section for a period of more than 15 days. Such 15-day period shall be deemed to commence on the date that such person is notified in writing by the Mayor, or by the Inspector of Buildings when authorized by the Mayor, that a motor vehicle is being stored in violation of this section.

(Ord. 1962-26. Passed 11-20-62.)

(d) Whoever violates this section is guilty of a minor misdemeanor.

is hereby repealed and amended to read as follows:

660.07 STORAGE OF JUNK VEHICLES.

(a) As used in this section, "junk motor vehicle" means any motor vehicle that is dismantled, extensively damaged, or inoperative, or which is in such condition that operation of the same on public ways would constitute a violation of law.

(b) Except as otherwise permitted by law, the storage of any junk motor vehicle upon any lot or land situated within the Village is hereby declared to be a public nuisance and is prohibited, unless the same is within a completely enclosed building or garage.

(c) No person shall maintain or permit to be maintained the nuisance described in division (b) of this section for a period of more than 15 days. Such 15-day period shall be deemed to commence on the date that such person is notified in writing by the **Police Department** when authorized by the **Police Chief or his designee**, that a motor vehicle is being stored in violation of this section.

(Ord. 1962-26. Passed 11-20-62.)

(d) Whoever violates this section is guilty of a misdemeanor of the **fourth** degree with a penalty of **thirty (30)** days in jail and up to a **Two Hundred Fifty Dollar (\$250.00)** fine.

SECTION 2. The remaining provisions of Chapter 660.07 not herein modified shall remain in full force and effect.

SECTION 3. This Ordinance is adopted pursuant to the Village of Walton Hills' home rule powers under Article XVIII, Section 3 of the Ohio Constitution and is expressly intended to supersede any provisions of the Ohio Revised Code in conflict with its provisions.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law so as to immediately correct the appropriations.

DONALD P. KOLOGRAF, MAYOR

PASSED: _____, 2022

ATTEST: _____
ANGELA REVAY, FISCAL OFFICER

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2022-7

INTRODUCED BY COUNCILPERSON

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WALTON HILLS CLUB CO. (“COMPANY”), AN OHIO CORPORATION D.B.A. WALTON HILLS LAKE, FOR THE PROVISION OF RECREATION SERVICES FOR THE BENEFIT OF THE RESIDENTS OF THE VILLAGE THROUGH THE REMAINDER OF THE CALENDAR YEAR 2022 AND DECLARING AN EMERGENCY

WHEREAS, the Village has entered into a contract with the Walton Hills Club Co. (“Company”), an Ohio Corporation d.b.a. Walton Hills Lake, for certain recreation services for the benefit of the residents of the village; and

WHEREAS, the Company agrees to provide such services for a one year period; and

WHEREAS, the Council deems it in the best interest of the Village to contract with the company to provide said recreation services as exemplified in the agreement attached hereto as Exhibit “A” and made a part hereof as if fully rewritten herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

SECTION 1. The Mayor be and he is hereby authorized to enter into an agreement with Walton Hills Club Co. d.b.a. Walton Hills Lake for the provision of recreation services for the benefit of the residents of the Village through the remainder of the calendar year 2022 as delineated in Exhibit “A” attached hereto and made a part hereof as if fully rewritten herein.

SECTION 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public and in compliance with the law.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DONALD KOLOGRAF, MAYOR

PASSED: _____, 2022

ATTEST: _____
ANGELA REVAY, FISCAL OFFICER

WALTON HILLS LAKE SERVICE AGREEMENT

This is an Agreement made and entered into this _____ day of _____ 2022, by and between Walton Hills Club Co. ("Company"), an Ohio Corporation d.b.a. Walton Hills Lake, located at 7157 Rotary Drive, Walton Hills, Ohio 44146, and the Village of Walton Hills ("Village"), a municipal corporation located at 7595 Walton Road, Walton Hills, Ohio 44146.

WHEREAS, the Village desires to contract with the Company to provide certain recreation services for the benefit of the residents of the Village; and

WHEREAS, the Company agrees to provide such services.

NOW, THEREFORE, in consideration of mutual promises and covenants set forth in this Agreement, the parties do hereby agree as follows:

Section 1. SERVICES

The Company hereby agrees to provide recreational services as follows:

1. Participation and accessibility to the Lake property shall be open to all residents on an equal basis in a limited capacity without membership as stated herein.

2. Lake Events

A. The following Lake program events shall be open and free of charge to all Walton Hills residents except as noted and all events are subject to change or cancellation based on health guidelines from the CDC and the State government:

Opening day;
Meet your neighbor night;
Open House with Entertainment
July 4th (extra charge for concession food may apply);
Labor Day

B. The following Walton Hills resident program events will be open and free of charge to residents and participating non-residents:

Village Parker Picnic;
Village Sports Banquet

3. Recreation and swimming services with certified lifeguards on duty during scheduled times shall be provided to all users, subject to inclement weather for the activities stated in paragraph 5 of this agreement. In addition, non-member Village residents can take swimming lessons at Walton Hills Lake for a \$15.00 fee per person per course. A \$25.00 fee will be charged for non-member, non-residents per person per course. Certificates will be awarded upon successful completion of the swimming course. Swim lessons

and/or scheduled times when the Lake will have lifeguards on duty will be subject to the availability of sufficient lifeguards to implement the program to insure safety.
4. Other programs suitable for various age groups at appropriate times and pursuant to interest shall be available to all Village residents so that all interested residents shall have an opportunity to use the facility. Fees may be charged for additional programs not specified as free herein.
5. The Company shall schedule two days per week for the Parker program (Tuesdays and Thursdays) for two hours from 1:30 p.m. to 3:30 p.m. The Village Recreation Director or recreation employee approved by the Lake shall be responsible for monitoring the children in the Parker program with adequate chaperones or Recreation Department personnel (recommended rate of at least one chaperone for each five (5) children).
6. The scope of this contract may be changed during the period of its enforcement, subject to mutual consent by the Village Legislative Authority and the Trustees of the Company. It is also agreed that there will be a coordination of all programs considered for implementation by the Company with the Village Recreation Director. All added services may result in an increased service charge if mutually agreed upon by both parties.
7. All residents shall be subject to the Walton Hills Lake Rules and Regulations. The current Rules and Regulations of the Walton Hills Lake are incorporated into and made a part of this agreement and are attached as Exhibit "A".

Section 2. TERM

This agreement shall commence upon its adoption and execution and shall continue through December 31, 2022.

Section 3. COMPENSATION

Village agrees to compensate Company in the following amount for services rendered upon proper invoice:

2022	\$ 20,000
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Payment will be made in one lump sum on or before June 1 of each year.

The Village shall absorb the tonnage cost for rubbish removal from the Walton Hills Lake facility.

Section 4. NOTICES

All changes and additions to this agreement and notices from one party to the other shall be made to:

<u>Village</u>	<u>Company</u>
Mayor and Council	President and Trustees
Village of Walton Hills	Walton Hills Lake
7595 Walton Road	7157 Rotary Drive
Walton Hills, OH 44146	Walton Hills, OH 44146

Section 5. RECORDS INSPECTION

Upon request by the Village, the Company shall make available for inspection and copying all financial records and trustee meeting minutes of the Company.

Section 6. INDEMNIFICATION

Each party agrees to defend, indemnify and hold each other harmless for any and all losses, liabilities, costs, damages, suits, actions, proceedings and expenses, including but not limited to reasonable attorney's fees, resulting from or related to or attributable to (1) any breach of this agreement committed by them, their employees or agents; (2) any negligent, reckless, wanton or willful act committed by them, their employees or agents.

Section 7. INSURANCE

The Company hereby certifies that during the term of this agreement, it shall maintain general comprehensive liability insurance coverage in the amount of a minimum of One Million Dollars (\$1,000,000.00) and maintain workers compensation coverage as statutorily required.

The Company shall provide the Village with certificates of insurance evidencing the insurance set forth above, identifying the name of the insurance company, the policy number and

expiration date and shall name Village as an additional insured and shall contain a statement that Village shall receive thirty (30) days prior written notice of cancellation or modification of any such insurance policies.

Section 8. RELATIONSHIP

Nothing in this agreement shall be deemed to constitute a joint venture or partnership or any other arrangement, business or financial or otherwise between the parties hereto except as expressly stated herein. Without limiting the foregoing, the parties acknowledge that neither is a partner, agent or legal representative of the other for any purpose and neither party is granted by the terms or execution of this agreement any express right, implied right or authority to assume or create any obligation or responsibility on behalf or in the name of the other or to bind the other in any manner.

Section 9. HEADINGS

The section headings contained in this agreement are for convenience only and shall not in any way affect the interpretation of enforceability of any provision of this agreement.

Section 10. NO WAIVER

No waiver, amendment or modification of any provision of this agreement shall be effective unless in writing and signed by both parties. The failure of a party to insist in any one or more instances on strict performance of any of the terms and conditions of this agreement or failure to exercise any right or remedy contained in this agreement shall not be considered as waiving any such terms, conditions, rights or remedies and the same shall be in full force and effect as if no waiver occurred.

Section 11. ASSIGNMENT

The Company shall not have the right to assign this agreement without the express written consent of Village.

Section 12. EFFECT OF PARTIAL INVALIDITY

If any provision of this agreement is held to be unenforceable, invalid or void to any extent for any reason, that provision shall remain in force and effect to the maximum extent allowable, if any, and the enforceability and validity of the remaining provisions of this agreement shall not be affected thereby.

Section 13. ENTIRE AGREEMENT

This agreement shall constitute the entire agreement of the parties.

Section 14. GOVERNING LAW

This agreement is executed in the State of Ohio and shall be governed and construed in accordance with the law of the State of Ohio.

Section 15. FINANCIAL DISCLOSURE

The Company shall provide to the Village full and complete disclosure of its financial condition, including financial reports, tax records, income and expense records within thirty (30) days of written demand by the Village.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed individually or by their respective officers duly authorized and stated below.

WITNESSES:

THE VILLAGE OF WALTON HILLS

Mayor

Date: _____

Village Fiscal Officer

Date: _____

Approved as to form:

Solicitor

WITNESSES:

WALTON HILLS CLUB CO., dba
WALTON HILLS LAKE

By: _____
Representative

Date: _____

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2022-8 INTRODUCED BY COUNCILPERSON

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF CONTRACTS, PURCHASING SERVICES FOR PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION'S CONTRACT FOR ROCK SALT AND DECLARING AN EMERGENCY.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for political subdivisions including, inter alia, municipal corporations, to participate in contracts with the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles, including rock salt; and

WHEREAS, the Council of the Village of Walton Hills deems it in the best interest of the Village to enter into an agreement with the Ohio Department of Transportation, Office of Contracts, Purchasing Services for the purchase of rock salt.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO:

SECTION 1. The Mayor be and he is hereby authorized to execute an agreement in the form attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein with the Ohio Department of Transportation for the purchase of rock salt from time to time for the 2022-2023 winter season.

SECTION 2. The Village of Walton Hills agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The Village of Walton Hills releases and forever discharges the director of transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Village of Walton Hills may have or claim to have against O.D.O.T. or its employees, unless such liability is the result of negligence on the part of O.D.O.T. or its employees.

SECTION 3. The Village Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution was taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public and in compliance with the law.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DON KOLOGRAF, MAYOR

PASSED: _____, 2022

ATTEST: _____

ANGELA REVAY, FISCAL OFFICER

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2022-9

INTRODUCED BY COUNCILPERSON

A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER OF THE VILLAGE OF WALTON HILLS TO ENTER INTO A CONTRACT WITH ANTHEM FOR HEALTHCARE AND PRESCRIPTIVE DRUG INSURANCE COVERAGE FOR ALL ELIGIBLE VILLAGE EMPLOYEES, EFFECTIVE MAY 1, 2022 THROUGH APRIL 30, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Walton Hills provides basic healthcare, dental, vision, and prescriptive drug insurance as a benefit to all eligible Village employees; and

WHEREAS, the current basic coverage for full time Village employees with Anthem has a 7.78% increase in renewal rates for 2022-2023; and

WHEREAS, said renewal also includes a voluntary flexible spending account as well as a voluntary election for short or long term disability insurance; and

WHEREAS, Oswald Companies, Third Party Administration for the Village of Walton Hills, has procured and reviewed proposals from various healthcare insurance providers and recommends renewal with Anthem.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO, THAT:

SECTION 1. That the Mayor and Fiscal Officer of the Village of Walton Hills are hereby authorized and directed to enter into the agreement with Anthem to provide basic healthcare and prescriptive drug insurance coverage for all eligible Village employees, effective May 1, 2022 through April 30, 2023.

SECTION 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public and in compliance with the law.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DONALD KOLOGRAF, MAYOR

PASSED: _____, 2022

ATTEST: _____

ANGELA REVAY, FISCAL OFFICER

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2022-10

INTRODUCED BY COUNCILPERSON

**A RESOLUTION CONFIRMING THE APPOINTMENT
OF EDWARD RAHEL AS A MEMBER OF THE BOARD
OF ZONING APPEALS OF THE VILLAGE OF WALTON
HILLS, AND DECLARING AN EMERGENCY.**

WHEREAS, Section 1254.05 of the Codified Ordinances of the Village of Walton Hills establishes the Board of Zoning Appeals for the Village which consists of five electors of the Village; and

WHEREAS, said Section further provides that said electors shall be appointed by the Mayor for a term of six (6) years each, subject to confirmation of Council; and

WHEREAS, Edward Pollock passed away on October 15, 2021, and his term on the Board of Zoning Appeals was set to expire May 17, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO:

Section 1. That the appointment by the Village Council of Edward Rahel as member of the Board of Zoning Appeals of the Village to fulfill the remainder of the term left vacant by the passing of Ed Pollock be, and is hereby confirmed, subject to the provisions of Chapter 1254 of the Codified Ordinances of Walton Hills.

Section 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public and in compliance with the law.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare for the reason stated in the preamble hereof, and provided it receives the affirmative vote of two-thirds (2/3) of the Village Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

DONALD KOLOGRAF, MAYOR

PASSED: _____, 2022

ATTEST: _____

ANGELA REVAY, FISCAL OFFICER