



# Regular Council Meeting

Tuesday, September 20, 2022 at 7:00 pm

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Roll Call
5. Persons having business before Council
6. Mayor's Report
7. Council Comments
8. Legislation
  - a. Ordinance 2022-8 Property Assessments

**Attachments:**

- **Ordinance 2022-8 Property Assessments** (Ordinance\_2022-8\_Property\_Assessments.docx)

- b. Resolution 2022-19 Tax Rate

**Attachments:**

- **Resolution 2022-19 Tax Rate** (Resolution\_2022-19\_Tax\_Levies.docx)

- c. Resolution 2022-20 OPWC Grant for 2023

**Attachments:**

- **Resolution 2022-20 OPWC Grant for 2023** (Resolution\_2022-20\_OPWC\_GRANT.docx)

- d. Resolution 2022-21 Cuyahoga County All-Hazard Mitigation Plan

**Attachments:**

- **Resolution 2022-21 Cuyahoga County All-Hazard Mitigation Plan** (Resolution\_2022-21\_Cuyahoga\_County\_All-Hazards\_Mitigation\_Plan.docx)

- e. Resolution 2022-22 Property Tax Advances

**Attachments:**

- **Resolution 2022-22 Property Tax Advances** (Resolution\_2022-22\_Tax\_Advance.docx)

- f. Resolution 2022-23 Community Parks, Recreation and Conservation Project Grant

**Attachments:**

- **Resolution 2022-23 Community Parks, Recreation and Conservation Project Grant** (Resolution\_2022-23\_Community\_Parks\_Recreation\_and\_Conservation\_Grant.docx)

**g. Resolution 2022-24 Michael Cummins Appointment to BZA**

**Attachments:**

- **Resolution 2022-24 Michael Cummins Appointment to BZA** (Resolution\_2022-24\_Michael\_Cummins\_Appointment\_to\_BZA.docx)

**9. Old and New Business**

**10. Adjournment**

## VILLAGE OF WALTON HILLS, OHIO

ORDINANCE NO. 2022-8

INTRODUCED BY COUNCILPERSON

### **AN ORDINANCE AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO CERTIFY DELINQUENT PROPERTY MAINTENANCE CHARGES, TRASH COLLECTION ASSESSMENTS AND CULVERT REPAIR ASSESSMENT TO THE COUNTY AUDITOR FOR COLLECTION AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to pursuant to Ohio revised code chapters 701, 727 and 731 and Section 1490.09 of the Codified Ordinances of the Village of Walton Hills, Ohio, the Village has heretofore established charges to be paid by all owners of property who have incurred property maintenance charges thereunder; and

**WHEREAS**, although proper notice has been given, certain of those charges have not been paid and are currently delinquent and it is therefore necessary to take appropriate action to enforce the collection of the amounts due and owing to the Village. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.

**WHEREAS**, Village Council passed legislation to assess all residential property owners for trash collection, due to budgetary restraints. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.;

**WHEREAS**, Resolution 2017-9, the residents have agreed to a 20 year assessment to pay for 30% of the total project cost for the culvert repair. A copy of the charges referred to is attached hereto as Exhibit "A" and made a part hereof as if fully rewritten herein.

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

**SECTION 1.** The Fiscal Officer is hereby authorized and directed to certify to the County Auditor of Cuyahoga County the list of delinquent property maintenance charges through September 1, 2022, now on file with the Fiscal Officer and attached hereto as Exhibit "A," together with a certified copy of this Ordinance and Ordinance No. 2009-25. Those charges, including applicable penalties, shall be certified, levied and extended upon the tax duplicate and collected by the same officer, in the same manner and at the same time that taxes for general purposes are collected for the current year. Until the same shall have been paid in full, those charges shall constitute a lien upon the property bearing such maintenance charges.

**SECTION 2.** The Fiscal Officer is hereby authorized and directed to certify to the County Auditor of Cuyahoga County the list of trash collection assessments for 2022, now on file with the Fiscal Officer and attached hereto as Exhibit "A," together with a certified copy of this Ordinance and Ordinance No. 2018-5. Those charges, including applicable penalties, shall be certified, levied and extended upon the tax duplicate and collected by the same officer, in the same manner and at the same time that taxes for general purposes are collected for the current year. Until the same shall have been paid in full, those charges shall constitute a lien upon the property bearing such maintenance charges.

**SECTION 3.** All money received from the collection of the charges as provided herein shall be paid, as appropriate, into the General Fund and be used for the purpose for which the fund is established.

**SECTION 4.** That the Mayor is hereby authorized to take such action and to execute such other documents and amendments thereto as may be and as are approved by the Law Director.

**SECTION 5.** 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 6.** 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.

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DON KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER

VILLAGE OF WALTON HILLS, OHIO

RESOLUTION NO. 2022-19

INTRODUCED BY COUNCILPERSON

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Walton Hills, Ohio in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2023, and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio has certified its action thereon to this Council, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is in excess of and what part within, the ten-mill tax limitation.

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

SECTION 1. That the amounts and rates, as determined by the Budget Commission in its certification, be and the same hereby are accepted.

SECTION 2. That there be and is hereby levied on the tax duplicate of said Village, the rate of each tax necessary to be levied within and without the ten-mill limitations as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FOR GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES.

|                      | Amount to be derived from levies outside 10 mill limitation. | Amount approved by Budget Comm. inside 10 mill limitation. | County Auditor's Estimate of Tax Rate to be Levied. |                  |
|----------------------|--|--|---|------------------|
|                      |  |  | Inside 10 mills                                     | Outside 10 mills |
|                      | Column II  | Column IV  | Column V  | Column VI        |
| Bond Retirement Fund | \$ _____   | \$ _____   | \$ _____  | \$ _____         |
| General Fund         | \$ _____   | \$ _____   | \$ <u>3.0</u>                                       | \$ _____         |
| Police Pension Fund  | \$ _____   | \$ _____   | \$ <u>.30</u>                                       | \$ _____         |

**SECTION 3.** That the Fiscal Officer of the Village be and hereby is directed to certify a copy of this Resolution to the Auditor of Cuyahoga County, Ohio;

**SECTION 4.** 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 5.** 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.

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DON KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER

VILLAGE OF WALTON HILLS

RESOLUTION NO.: 2022-20

INTRODUCED BY: \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION FOR A POTENTIAL GRANT AND/OR LOAN FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE VILLAGE OF WALTON HILLS, AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to Article VIII, Section 2(K) of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

**WHEREAS**, pursuant to section 164.06 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

**WHEREAS**, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

**WHEREAS**, the Village of Walton Hills has conducted a capital inventory and needs assessment and has determined that it is necessary to submit an application for financial assistance for a capital infrastructure improvement project.

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

**SECTION 1.** The Mayor is hereby authorized to make application to the District One Public Works Integrating Committee and the Ohio Public Works Commission for financial assistance for the following capital infrastructure improvement projects:

- Alexander Road Phase III Resurfacing (between the west corp. limit and Dunham Road)
- Barclay Estates Resurfacing

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

VILLAGE OF WALTON HILLS

RESOLUTION NO. 2022-20

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**SECTION 3.** That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the reason that the same relates to the daily operation of a municipal department and to timely submit this application; wherefore this Resolution shall take effect and be in force upon receiving 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. 2022-21**

**INTRODUCED BY COUNCILPERSON**

**A RESOLUTION APPROVING THE ADOPTION OF THE COUNTYWIDE ALL-HAZARDS MITIGATION PLAN FOR CUYAHOGA COUNTY, 2023-2027, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village of Walton Hills, Cuyahoga County, Ohio is most vulnerable to natural and human made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

**WHEREAS**, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

**WHEREAS**, the Village of Walton Hills acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

**WHEREAS**, the Cuyahoga County 2023-2027 All-Hazards Mitigation Plan has been developed by the Cuyahoga County Office of Emergency Management in cooperation with other county departments, and officials and citizens of the Village of Walton Hills, and

**WHEREAS**, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Cuyahoga County 2023-2027 All-Hazards Mitigation Plan, and

**WHEREAS**, the Cuyahoga County 2023-2027 All-Hazards Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural hazards that face the County and its municipal governments, and

**WHEREAS**, the Council of the Village of Walton Hills has reviewed the "Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, 2023-2027", and desires to adopt the same.

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

**SECTION 1.** The Council for the Village of Walton Hills does hereby adopt the Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, 2023-2027.

**SECTION 2.** The Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

**SECTION 3.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Walton Hills, Ohio; and for the further reason to adopt immediately so as not to bar access to FEMA resources; wherefore this Resolution shall take effect and be in force upon receiving the affirmative vote of two-thirds (2/3) of all members elected to Council, otherwise from and after the earliest period allowed by law.

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DONALD KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER

**VILLAGE OF WALTON HILLS, OHIO**

**RESOLUTION NO. 2022-22**

**INTRODUCED BY COUNCILPERSON**

**A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES OF PROPERTY TAX AND SPECIAL ASSESSMENTS DURING THE YEAR 2023 AND DECLARING AN EMERGENCY.**

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

SECTION 1. That the County Auditor be and he hereby is requested to draw and the County Treasurer to pay on such draft to the Fiscal Officer of the Village of Walton Hills such money as may be in the County Treasury from time to time during 2023 to the account of the Village of Walton Hills and lawfully applicable to the purpose of the current fiscal year in which such request is made, such payment to be made from time to time as the Fiscal Officer of the Village of Walton Hills may request.

SECTION 2. That the Clerk is hereby directed to transmit a certified copy of this Resolution to the Auditor and Treasurer of Cuyahoga County.

SECTION 3. That this Resolution is hereby directed to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, that said fund be available to the Fiscal Officer for prompt payment of obligations due in the General and Police Pension Funds; wherefore this Resolution shall take effect and be in force upon receiving the affirmative vote of two-thirds (2/3) of all members elected to Council, otherwise from and after the earliest period allowed by law.

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DONALD KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER

**VILLAGE OF WALTON HILLS, OHIO**

**RESOLUTION NO. 2022-23**

**INTRODUCED BY COUNCILPERSON:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A COMMUNITY PARKS, RECREATION AND CONSERVATION GRANT IN THE AMOUNT OF FORTY EIGHT THOUSAND DOLLARS (\$48,000.00) FROM THE STATE OF OHIO FOR IMPROVEMENTS TO WALTON HILLS THOMAS YOUNG PARK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor and Administration applied for said grant pursuant to House Bill 687; and

**WHEREAS**, the State of Ohio has awarded the Village said amount for said project to be administered by the Ohio Department of Natural Resources (ODNR) Office of Real Estate and Land Management (REALM).

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

**SECTION 1.** The Council of the Village of Walton Hills hereby authorizes the Mayor to accept said grant, to proceed with submission of information required by ODNR REALM and hereby authorizes him to execute any documents necessary to facilitate the project.

**SECTION 2.** 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 3.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Walton Hills, Ohio; to timely submit documents necessary to facilitate the grant; wherefore this Resolution shall take effect and be in force upon receiving the affirmative vote of two-thirds (2/3) of all members elected to Council, otherwise from and after the earliest period allowed by law.

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DON KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER

**VILLAGE OF WALTON HILLS, OHIO**

**RESOLUTION NO. 2022-24**

**INTRODUCED BY COUNCILPERSON**

**A RESOLUTION CONFIRMING THE APPOINTMENT  
OF MICHAEL CUMMINS 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**, Paul Rich resigned on April 11, 2022, and his term on the Board of Zoning Appeals was set to expire February 20, 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 Michael Cummins as a member of the Board of Zoning Appeals of the Village to fulfill the remainder of the term left vacant by the resignation of Paul Rich, 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.

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DONALD KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

ANGELA REVAY, FISCAL OFFICER