



# Regular Council Meeting

Tuesday, March 21, 2023 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 2023-1 Permanent Appropriations 2023

**Attachments:**

- **Ordinance 2023-1 Permanent Appropriations 2023** (Ordinance\_2023-1\_Permanent\_Appropriations\_2023.docx)

- b. Resolution 2023-7 Fund for Police Retirement

**Attachments:**

- **Resolution 2023-7 Fund for Police Retirement** (Resolution\_2023-7\_Fund\_For\_Police\_Retirement\_Pay-Outs.docx)

- c. Resolution 2023-8 Janice St. John Planning Commission

**Attachments:**

- **Resolution 2023-8 Janice St. John Planning Commission** (Resolution\_2023-8\_Janice\_St.\_John\_Planning\_Commission.docx)

- d. Resolution 2023-9 Planning Commission Term Limits

**Attachments:**

- **Resolution 2023-9 Planning Commission Term Limits** (Resolution\_2023-9\_Planning\_Commission\_Term\_Limits.docx)

- e. Resolution 2023-10 BZA Term Limits

**Attachments:**

- **Resolution 2023-10 BZA Term Limits** (Resolution\_2023-10\_BZA\_Term\_Limits.docx)

9. Old and New Business
10. Motion to Enter Into Executive Session to Discuss Personnel -Police Retirements
11. Motion to Reconvene From Executive Session

**12. Adjournment**

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| Agenda published on 03/20/2023 at 5:22 PM

VILLAGE OF WALTON HILLS, OHIO

ORDINANCE NO. 2023-1

INTRODUCED BY COUNCILPERSON

**AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF WALTON HILLS, STATE OF OHIO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Appropriations must be made for current expenses and expenditures of the Village of Walton Hills to allow for the proper functioning of the Village.

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

**SECTION 1.** That in order to provide for the current expenses and other expenditures of the Village of Walton Hills during the fiscal year beginning January 1, 2023 and ending December 31, 2023, the following sums be and they are hereby set aside and appropriations made as follows:

**General Fund:**

Security of Persons/Property – Personal Services	\$1,814,513
Security of Persons/Property – Other	870,955
Health – Other	8,000
Recreation Department – Personal Services	151,085
Recreation Department – Other	161,950
Comm. Envir./Building Dept. – Personal Services	27,362
Comm. Envir./Building Dept. – Other	27,050
Engineer – Personal Services	27,858
Engineer – Other	0
Basic Utility Services	366,000
Road Department – Personal Services	120,885
Road Department – Other	120,300
Mayor’s Office – Personal Services	66,605
Mayor’s Office – Other	1,500
Council – Personal Services	71,600
Council – Other	250
Mayor’s Court – Personal Services	110,302
Mayor’s Court – Other	181,150
Planning & Zoning Commissions – Personal Services	7,506
Planning & Zoning Commissions – Other	0
Law – Personal Services	73,605
Law – Other	20,000
General Government – Personal Services	259,234
General Government – Other	510,000
Transfers Out	987,000

**Total General Fund Appropriations** **\$5,984,710**

<b>Street Construction:</b>		
Road Department – Personal Services		\$629,940
Road Department – Other		<u>297,750</u>
<b>Total Street Construction Appropriations</b>		<b>\$927,690</b>
<b>State Highway</b>		<b>\$15,000</b>
<b>Law Enforcement Trust</b>		<b>\$4,000</b>
<b>Motor Vehicle License Tax</b>		<b>\$0</b>
<b>Police Pension</b>		
Security of Persons/Property – Personal Services		\$195,000
Security of Persons/Property – Other		<u>1,500</u>
<b>Total Police Pension Appropriations</b>		<b>\$196,500</b>
<b>Water Meter &amp; Repair</b>		<b>\$12,000</b>
<b>Mayor’s Court Computer</b>		<b>\$3,000</b>
<b>Debt Service</b>		<b>\$2,232,500</b>
<b>Veterans’ Memorial</b>		<b>\$0</b>
<b>Capital Improvement</b>		<b>\$1,726,300</b>
<b>Walton Hills/Sagamore Hills JEDD</b>		<b>\$750,000</b>
<b>TOTAL 2023 PERMANENT APPROPRIATIONS</b>		<b>\$11,851,700</b>

**SECTION 2.** The following amounts will be transferred during the fiscal year beginning January 1, 2023 and ending December 31, 2023:

<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund	Street Construction	\$500,000
General Fund	Police Pension	\$ 75,000
General Fund	Water Meter & Repair	\$ 12,000
General Fund	Capital Improvement	\$400,000

**SECTION 3.** That the Fiscal Officer is hereby authorized to draw warrants on the Village Treasury for payments from the foregoing appropriation upon receiving proper certificates and vouchers; therefore, authorized by law to approve the same, or this Ordinance of Council to make the expenditures; provided that no warrants be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or Ordinance; and provided further that the appropriations for contingencies can only be expended upon approval of two-thirds (2/3) vote of Council for any lawful purposes that could not be reasonably foreseen at the time of adoption of the appropriations measure.

**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 declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that said measure is necessary for the daily operation of the Village and such sums must be immediately available; wherefore, this Ordinance shall take effect and be in force upon receiving the affirmative vote of two-thirds (2/3) of all the members elected to Council, otherwise from and after the earliest period allowed by law.

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DONALD KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2023

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

ANGELA REVAY, FISCAL OFFICER

**VILLAGE OF WALTON HILLS, OHIO**

**RESOLUTION NO. 2023-7**

**INTRODUCED BY COUNCILPERSON**

**A RESOLUTION PROVIDING FOR THE DESIGNATION OF APPROPRIATION FUND 1000-110-190-7906, FORMERLY CALLED “PAYMENTS IN LIEU OF HEALTHCARE”, TO NOW BE CALLED “PAYOUTS FOR POLICE RETIREMENT”, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Walton Hills wishes to designate funds to be used to payout any unused leave balances to police at retirement; and

**WHEREAS**, it is the intent of the Village of Walton Hills to appropriate funding to this account on an annual basis, in an amount to be determined during the course of the year.

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

**SECTION 1.** The Village of Walton Hills hereby declares account 1000-110-190-7906 to be used to appropriate funding of payouts for Police retirements.

**SECTION 2.** Each year the amount of funds to be appropriated will be discussed and reviewed at each Finance Committee meeting.

**SECTION 3.** The Mayor, Council and Fiscal Officer of the Village of Walton Hills may also pre-determine a minimum amount to appropriate to the fund each year.

**SECTION 7.** 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 8.** This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, peace, 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.

PASSED: \_\_\_\_\_, 2023

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ATTEST: \_\_\_\_\_  
ANGELA REVAY, FISCAL OFFICER

DONALD KOLOGRAF, MAYOR

**VILLAGE OF WALTON HILLS, OHIO**

**RESOLUTION NO. 2023-8**

**INTRODUCED BY COUNCILPERSON**

**A RESOLUTION CONFIRMING THE REAPPOINTMENT  
OF JANICE ST. JOHN AS A MEMBER OF THE PLANNING  
COMMISSION OF THE VILLAGE OF WALTON HILLS,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, Section 1220.01 of the Codified Ordinances of the Village of Walton Hills establishes the Planning Commission for the Village which consists of the Mayor, a member of Council, and three (3) 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, and are confirmed by Council; and

**WHEREAS**, Mayor Kolograf has appointed Janice St. John as a member of the Planning Commission.

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

**Section 1.** That the appointment by the Mayor of Janice St. John as a member of the Planning Commission of the Village be, and is hereby confirmed, subject to the provisions of Chapter 1220 of the Codified Ordinances of Walton Hills for the term ending March 31, 2029.

**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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DON KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2023

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

ANGELA REVAY, FISCAL OFFICER

## VILLAGE OF WALTON HILLS, OHIO

**ORDINANCE NO. 2023-9**

**INTRODUCED BY COUNCILPERSON**

### **AN ORDINANCE AMENDING SECTION 1220.01 (b) OF THE CODIFIED ORDINANCES OF THE VILLAGE REGARDING TERM LIMITS AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Walton Hills has expressed a desire to limit the terms of Planning Commission Members to encourage public participation and provide opportunities to individuals who wish to participate in government.

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

Section 1. That section 1220.01 (b) which currently reads:

(b) When a position on the Planning Commission becomes vacant, the Mayor shall appoint the successor within 45 days of the creation of the vacancy, subject to approval of the Legislative Authority for the unexpired term, or full-term as the case may be. However, in the event the Mayor fails to make the appointment within 45 days to fill the vacancy, Council may fill the vacancy by a majority vote. The Mayor shall notify Council of the appointment within the 45-day time period to satisfy this provision. Council's failure to confirm any appointment of the Mayor shall result in a new, 45-day time period for the Mayor to present a new appointment. Where the outgoing Commission Member has served with distinction and desires to continue their service to the Village, the Mayor and Council shall reserve the right to give priority to that applicant in considering their reappointment to another term. Letters of interest may be completed and submitted to the Mayor by residents who are interested in the open seat on the Planning Commission. All letters of interest will be open for public review.

is hereby repealed and amended as follows:

(b) When a position on the Planning Commission becomes vacant, the Mayor shall appoint the successor within 45 days of the creation of the vacancy, subject to approval of the Legislative Authority for the unexpired term, or full-term as the case may be. However, in the event the Mayor fails to make the appointment within 45 days to fill the vacancy, Council may fill the vacancy by a majority vote. The Mayor shall notify Council of the appointment within the 45-day time period to satisfy this provision. Council's failure to confirm any appointment of the Mayor shall result in a new, 45-day time period for the Mayor to present a new appointment. Where the outgoing Commission Member has served with distinction and desires to continue their service to the Village, the Mayor and Council shall reserve the right to give priority to that applicant in considering their reappointment to another term. The Village hereby expresses an intention to limit members to 2 consecutive full terms to encourage participation and provide opportunities to individuals who wish to participate in government. Letters of interest may be completed and submitted to the Mayor by residents who are interested in the open seat on the Planning Commission. Nothing shall prohibit an individual from reapplying for a third term after sitting out a term or should there be no other applicants. All letters of interest will be open for public review.



Section 2. Any other subsection of 1220.01 not herein modified shall remain in full force and effect.

Section 3. This Council finds and determines that all formal action 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 and in compliance with the law.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and to immediately comply with current construction standards; wherefore this Ordinance 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.

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DONALD P. KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2023

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

ANGELA REVAY, FISCAL OFFICER

## VILLAGE OF WALTON HILLS, OHIO

**ORDINANCE NO. 2023-10**

**INTRODUCED BY COUNCILPERSON**

### **AN ORDINANCE AMENDING SECTION 1254.05 (f) OF THE CODIFIED ORDINANCES OF THE VILLAGE REGARDING TERM LIMITS, AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Walton Hills has expressed a desire to limit the terms of Zoning Board of Appeals Members to encourage public participation and provide opportunities to individuals who wish to participate in government.

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

Section 1. That section 1254.05 (f) which currently reads:

(f) Vacancy. When a position on the Zoning Board of Appeals becomes vacant, the Mayor shall appoint the successor within 45 days of the creation of the vacancy, subject to approval of the Legislative Authority for the unexpired term, or full-term as the case may be. However, in the event the Mayor fails to make the appointment within 45 days to fill the vacancy, Council may fill the vacancy by a majority vote. The Mayor shall notify Council of the appointment within the 45-day time period to satisfy this provision. Council's failure to confirm any appointment of the Mayor shall result in a new, 45-day time period for the Mayor to present a new appointment. Where the outgoing board member has served with distinction and desires to continue their service to the Village, the Mayor and Council shall reserve the right to give priority to that applicant in considering their reappointment to another term. Letters of interest may be completed and submitted to the Mayor by residents who are interested in the open seat on the Zoning Board of Appeals. All letters of interest will be open for public review.

is hereby repealed and amended as follows:

(f) Vacancy. When a position on the Zoning Board of Appeals becomes vacant, the Mayor shall appoint the successor within 45 days of the creation of the vacancy, subject to approval of the Legislative Authority for the unexpired term, or full-term as the case may be. However, in the event the Mayor fails to make the appointment within 45 days to fill the vacancy, Council may fill the vacancy by a majority vote. The Mayor shall notify Council of the appointment within the 45-day time period to satisfy this provision. Council's failure to confirm any appointment of the Mayor shall result in a new, 45-day time period for the Mayor to present a new appointment. Where the outgoing board member has served with distinction and desires to continue their service to the Village, the Mayor and Council shall reserve the right to give priority to that applicant in considering their reappointment to another term. The Village hereby expresses an intention to limit members to 2 consecutive full terms to encourage participation and provide opportunities to individuals who wish to participate in government. Letters of interest may be completed and submitted to the Mayor by residents who are interested in the open seat on the Zoning Board of Appeals. Nothing shall prohibit an individual from reapplying for a third term after sitting out a term or should there be no other applicants. All letters of interest will be open for public review.

Section 2. Any other subsection of 1254.05 not herein modified shall remain in full force and effect.

Section 3. This Council finds and determines that all formal action 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 and in compliance with the law.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and to immediately comply with current construction standards; wherefore this Ordinance 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.

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DONALD P. KOLOGRAF, MAYOR

PASSED: \_\_\_\_\_, 2023

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

ANGELA REVAY, FISCAL OFFICER