

ORDINANCE NO. 1543-2015

*Introduced by: Mr. Lance
Dispense with Three Readings*

AN ORDINANCE AMENDING ORDINANCE 1526-2014 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF LAKEMORE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015

Be it Ordained by the Council of the Village of Lakemore, Ohio:

Section 1: Increase appropriations in Water Enterprise fund for Professional Services \$40,000.00 to afford cleaning and inspecting Well #3 and to pay \$10,000.00 local match of Ohio Public Works Commission funding to paint the exterior of the high-level water tower.

Section 2: The appropriation adjustments will be made to afford expenses for 2015.

Section 3: And the Village Fiscal Officer is hereby authorized to draw warrants on the Village Treasury for payments from the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditure. It shall be provided further that the appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the Village and for purposes other than those covered by other specific appropriations herein made.

Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the citizens of the Village of Lakemore, Ohio, for the reason that the appropriations are necessary for the continued operation of the Village of Lakemore. Therefore, this Ordinance shall go into effect immediately.

Passed: October 5, 2015



RICK JUSTICE, Mayor

ATTEST:



TRACY FAST, Fiscal Officer

I, Tracy Fast, Fiscal Officer of the Village of Lakemore, do hereby certify that the foregoing Ordinance No. 1543-2015 was duly adopted by Council at its regular meeting held on October 5, 2015.



TRACY FAST, Fiscal Officer

ORDINANCE NO 1540-2015

*Introduced by: MR. LANCE
First Reading: September 8, 2015
Second Reading: September 21, 2015
Third Reading: October 5, 2015*

AN ORDINANCE AMENDING ORDINANCE NO. 1433- 2010
TO APPROVE THE AMENDED FINANCIAL RECOVERY PLAN AND FINANCIAL FORECAST
AS REQUIRED BY THE SECTION 118.06 OF THE OHIO REVISED CODE

Whereas, the Mayor must submit to the Financial Planning and Supervision Commission (“Commission”) an amended Financial Recovery Plan and Financial Forecast (“Plan”) as approved by Ordinance of the Village of Lakemore Council (“Council”);

Now, Therefore, be it Resolved by the Council of the Village of Lakemore, Ohio:

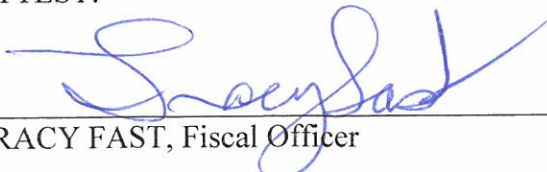
- Section 1: The main objective of the Plan is to eliminate all fiscal emergency conditions which were determined by the Auditor of State pursuant to Section 118.04 of the Ohio Revised Code. The Plan will identify the actions to be taken by the Village to restore the fiscal integrity of the Village. It shall also serve as a plan by which all future appropriation measures must comply and shall direct the correction of the issues essential to financial recovery.
- Section 2: Local Government Services (“LGS”) and Fiscal Officer amended the Plan in the same manner as its passage. The plan shall be reviewed by Council on a continual basis to ensure that the measures approved will in fact allow the Village to restore fiscal integrity.
- Section 3: A copy of this amended Plan is attached hereto and made a part hereof as if fully rewritten herein.
- Section 4: Upon approval of this amended Plan, a copy of this approved Ordinance and Plan will be submitted to the Commission for official approval.
- Section 5: This Ordinance will take full force and effect on and after the earliest period allowed by law.

Passed: October 5, 2015



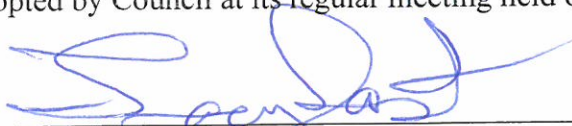
RICK JUSTICE, Mayor

ATTEST:



TRACY FAST, Fiscal Officer

I, Tracy Fast, Fiscal Officer of the Village of Lakemore, do hereby certify that the foregoing ORDINANCE NO 1540-2015 was duly adopted by Council at its regular meeting held on October 5, 2015.



TRACY FAST, Fiscal Officer

Village of Lakemore Financial Plan

Objectives of the Financial Plan

In accordance with Section 118.06 of the Ohio Revised Code, the Mayor must submit to the Financial Planning and Supervision Commission (“Commission”) a Financial Plan (“Plan”) as approved by Ordinance of the Village of Lakemore Council (“Council”) within one hundred and twenty (120) days of the first Commission Meeting. The main objective of the Plan is to eliminate all fiscal emergency conditions which were determined by the Auditor of State pursuant to Section 118.04 of the Ohio Revised Code. The Plan will identify the actions to be taken by the Village to restore the fiscal integrity of the Village. It shall also serve as a plan by which all future appropriation measures must comply and shall direct the correction of the issues essential to financial recovery. The Plan may be amended in the same manner as its passage. The plan shall be reviewed by Council on a continual basis to ensure that the measures approved will in fact allow the Village to restore fiscal integrity.

Following are the matters that will be addressed by Council to eliminate its fiscal emergency conditions:

The Budget Process – Appropriations

Through statutory mandate of the State of Ohio, the Village of Lakemore is required to balance its annual operating budget. The Village’s administration is committed to addressing each of the budget deficits through a series of expenditure decreases, coupled with revenue generating plans.

On or before December 31st of each subsequent year the Village remains in fiscal emergency the Council shall adopt a permanent appropriation budget for the upcoming year beginning January 1st. Failure to do so shall be considered a violation of the Plan and the Village shall be subject to remedies and penalties as prescribed in Section 118 of the Ohio Revised Code.

To accomplish this task the following procedures shall be followed while the Village remains in fiscal emergency:

Format for Appropriations

All appropriations shall be at the object level through the UAN system and shall not exceed Official Revenue Estimates.

- A. The Fiscal Officer shall update the estimated revenue projection included in the Plan no later than September 1st each year. This shall begin the budgeting process.
- B. On or before September 15th each year all department heads shall submit their budget requests to the Fiscal Officer, Mayor and Council. The departmental budgets shall provide a detailed narrative explaining the need for the funding requested. If any request includes grant funds specific to their department, the

Village of Lakemore Financial Plan

grant requirements, dollar amounts, usage details and grant period must be included with the documentation for the grant.

- C. On or before October 15th of each year the Fiscal Officer shall submit to the Mayor and Council the Official Certificate of Estimated Resources and estimates for budget appropriations for the next budget year. The Official Certificate of Estimated Resources shall be checked and turned in to the County of Summit for any Amendments on a monthly basis.
- D. On or before December 1st Council shall complete its budget hearings on the Fiscal Officer's budget estimates, presented by the Mayor. Within seven (7) days of passage the Fiscal Officer shall forward to each member of the Commission the proposed appropriations budget Ordinance.
- E. The Chairperson of the Commission shall meet with Council prior to final approval of the budget.
- F. After the Commission's review of the proposed appropriations Ordinance, no later than December 31st, Council shall adopt a permanent appropriations budget Ordinance for the upcoming fiscal year, which shall be consistent with all modifications set forth by the Commission. Failure to do so is a violation of the Plan and the Village shall be subject to remedies and penalties as prescribed in Section 118 of the Ohio Revised Code.

Financial Reports

The Fiscal Officer shall close the books of the preceding month and reconcile the bank statements by the 12th day of the following month. The Council has established a detailed process for the reports required and time period for receipt of financial reports from the Fiscal Officer, which shall be followed. A copy of these reports shall be presented to the Commission Chairperson and each member of the Commission at a minimum of three working days before the Commission Meetings.

Village of Lakemore Financial Plan

Following are the actions to be taken by the Village to correct the fiscal emergency requirements currently met, as well as the implementation dates:

<u>Expenditure Reduction Actions</u>	<u>Begin</u>	<u>Completion</u>
Loss of expenditures in police building payments from the general fund of \$32,615 in 2011, full amount of \$65,230 in 2012.	6/1/2011	6/1/2011
Loss of retirement payouts in the amount of \$18,000	1/1/2009	2/28/2010
Elimination of outstanding, stale dated checks from old system in the amount of \$84,608.76. Moved from general fund to unclaimed monies fund until time period elapses to allow removal and closure from books	4/5/2010	5 years
Renegotiated Fire/EMS dispatching contract to attain savings of \$16,000 in 2011.	2/2010	1/1/2011
Reductions in employee salaries totaling \$44,000 to be realized in 2011.	12/20/2010	3/31/2011
Revised health insurance plan for Village employees to move from 100% plan to 80/20 plan, yielding net savings of approximately \$13,875.72 savings over 2010 and negate the 2011 increase of 20% to remain in the current saving the Village an additional \$29,000 from expected 2011 expenditures.	11/30/2010	11/30/2010
Reduction in staffing hours for LFD of six (6) hours per day, totalling \$27,000 annually.	1/1/2010	Ongoing
The Village dissolved the Police Department and entered into a contract with Springfield Township for policing resulting in annual savings of exceeding \$250,000.	7/1/2009	Ongoing
The Village is contracting with the Summit County Building Department for building and electric inspections. This move will reduce general fund expenditures by approximately \$10,000 annually, but will also reduce revenues. We are making this move to lessen the responsibilities of the Administrator and integrate the zoning duties into this position. This should result in savings of \$7,000 annually.	2/7/2011	3/15/2011
Reduction of fleet size and restrictions in usage of Village vehicles. This will reduce usage and insurance costs by an annual amount of \$1,635.	1/1/2011	Ongoing
Reduction in salary for Village Solicitor to \$1,000 per month, resulting in savings of \$6,441 annually.	12/2010	2/7/2011
Split of Mayor's and Council's salaries to other funds, resulting in savings of \$15,897 annually.	2014	Ongoing

Village of Lakemore Financial Plan

<u>Expenditure Reduction Actions</u>	<u>Begin</u>	<u>Completion</u>
Effective October 2011, the Village has eliminated the Village Administrator position. The position will be absorbed and a current employee will be named to the Administrator position. The elimination is projected to result in a savings of \$57,000, of which \$52,000 will be general fund.	10/2011	Ongoing
Agreements have been reached with the Springfield Local School District and Springfield Township for cost sharing of the Resource Officer, currently provided at the expense of the Village. The amount to be saved is \$20,000 per year, beginning in 2014. The cost is allocated to all three entities.	12/31/2010	Ongoing
Effective March 1, 2013, one DOPS position will be vacant, and will not be filled. There will be a savings of \$31,085 for March through December, and annually \$51,085.	3/15/2013	Ongoing
Beginning in 2015, the Village will request an exemption for payment of property taxes on the lakefront property.	2015	

Village of Lakemore Financial Plan

<u>Revenue Generating Actions</u>	<u>Begin</u>	<u>Completion</u>
Council brought an operating levy to the voters which was passed by the Village residents. The Fire operations levy was certified at an annual amount of \$120,000.	8/31/2010	11/2/2010
The Village entered into a revenue sharing Memorandum of Understanding (M.O.U.) with other Summit County. This M.O.U. would allow the Village to collect 50% of the income taxes collected by Cuyahoga Falls, on the Edwin Shaw relocation in 2011, 40% in 2012, 30% in 2013, 20% in 2014 and 10% in the final year of 2015. Estimates on the income for 2013 are \$36,000.	3/16/2009	Ongoing
Issue a storm-water maintenance charge for all current utility users in the Village. This would generate approximately \$15,600 per year.		Awaiting Approval
Leasing of the lakefront park area to a private entity for operations. This will generate \$5,000 per year.	1/1/2010	Ongoing
The Village is working with Summit County officials to find an entity to open in the Edwin Shw Hospital buildings.	1/1/2010	Ongoing
The Village is actively looking for a lessee to lease the old police building. The State Highway Patrol is a potential lessee. With an anticipated payroll of approximately \$1 million annually, will generate \$20,000 in income taxes annually.		In process of locating lessee
The Village has requested a reimbursement of their payment of property taxes on the lakefront property for the years of 2011 through the first half of 2014.	2/2014	Ongoing
The Village will be attempting to pass a 4.25 mill Fire Levy on the November 2015 ballot, with collections to begin in January 2016. The estimated revenues are \$237,792 annually.	7/1/15	Ongoing
A data collection company has opened in the Village. The company is anticipating adding 200 jobs by the end of 2015. They will hire about 50 in 2014 and about 100 in 2015. The average salary of the workers will be around \$10/hour, which will add about \$34,944 in income taxes annually.	2/2014	Ongoing
Issue a storm water maintainence charge for all current utility users in the Village. This will generate approximately \$15,600 annually	2014	Ongoing
A Save-A-Lot will be opening in the Village, adding about 20 jobs by the end of 2015. This will add about \$11,648 in income taxes annually	2015	Ongoing

Village of Lakemore Financial Plan

Elimination of Deficit Funds

The following fund had deficit fund balance:

<u>Fund</u>	<u>Balances as of 12/31/2014</u>
General	(\$120,582.00)

We will monitor financial progress, according to the Plan, on a weekly basis. The reductions in expenditures combined with new revenues for 2015 should allow us to reach our goal of remedying all fiscal emergency criteria within a reasonable amount of time as directed by the Fiscal Oversight Commission. The Plan and appropriations will be revised as needed to assure positive cash flow and reductions in Fund deficits.

Assurances of the Financial Plan

1. The Village will conform to all statutes with respect to the tax budgets and appropriation measures.
2. The Village will establish monthly levels of expenditures and encumbrances pursuant to division (B) (2) of Section 118.07 of the Ohio Revised Code.
3. The amount and purpose of any issue of debt obligations shall not exceed debt limits supported by appropriate certification by the Fiscal Officer and Summit County Auditor.
4. The Village will implement all corrective actions outlined by the Auditor of State in the Report of Accounting Methods.

Conclusion

Based on the implementation of the items in this plan, combined with the corrective actions outlined in the Report of Accounting Methods, we would anticipate applying for termination of fiscal emergency status by 2018.

Respectfully Submitted,

Mayor Rick Justice

ORDINANCE NO 1537-2015

*Introduced by: MR. COLE
First Reading: September 8, 2015
Second Reading: September 21, 2015
Public Hearing: October 5, 2015
Third Reading: October 5, 2015*

AN ORDINANCE AMENDING ORDINANCE 1101-1989 (LAKEMORE ZONING ORDINANCE) BY CHANGING THE ZONING MAP DISTRICT OF B-1 (RETAIL BUSINESS DISTRICT) TO PRD-1 (PLANNED RESIDENTIAL DISTRICT) FOR PROPERTY REFERENCED ON ATTACHED LEGAL DESCRIPTION CONTAINING 1.0578 ACRES, LOCATED ON BRITTANY BOULEVARD AND CANTON ROAD

Now, Therefore, Be It Ordained by the Council of the Village of Lakemore, Ohio:

Section 1: Ordinance 1101-1989 (Lakemore Zoning Ordinance) is hereby amended as set forth in this Ordinance.

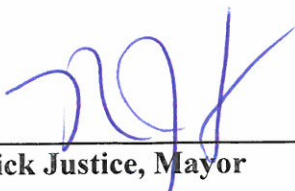
Section 2: The Zoning Map is amended indicating that property referenced on attached legal description (labeled Exhibit A) containing 1.0578 acres, located on Brittany Blvd and Canton Road be rezoned from B-1 to PRD-1.

Section 3: The above mentioned property is rezoned to complete an existing, residential development. The remaining property will remain B-1 for commercial development.

Section 4: All Ordinances or Resolutions or parts of Ordinances or Resolutions inconsistent herewith are hereby repealed.

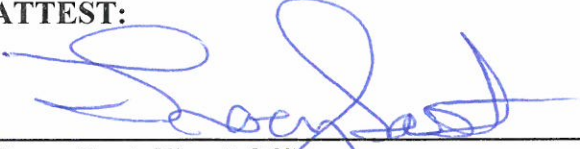
Section 5: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: October 5, 2015



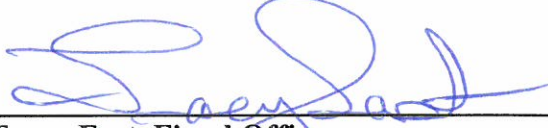
Rick Justice, Mayor

ATTEST:



Tracy Fast, Fiscal Officer

I, Tracy Fast, Fiscal Officer of the Village of Lakemore, do hereby certify that the foregoing Ordinance 1537-2015 was duly adopted by Council at its regular meeting held on October 5, 2015.



Tracy Fast, Fiscal Officer

LEGAL DESCRIPTION
for
BRITTANY MEADOWS REZONING
FROM B-1 TO RPD-1

August 12, 2015

Situated in the Village of Lakemore, County of Summit, State of Ohio, and known as being a part of Original Lot 24 in Tract 8 and Tract 7, formerly the Township of Springfield and more fully described as follows:

Beginning at the northwestern corner of said Original Lot 24, witnessed by a 1 inch pinch top pipe found 0.36 feet south and 0.02 feet west of said corner;

Thence South 00 degrees 46 minutes 59 seconds West, along the said westerly line Original Lot 24 in Tract 8, a distance of 688.14 feet to a point on the southerly right of way line of Brittany Boulevard (60 feet in width);

Thence North 86 degrees 44 minutes 45 seconds West, along the southerly right of way line of said Brittany Boulevard, a distance of 247.09 feet to a point and the true point of beginning for the parcel herein described;

Thence South 3 degrees 15 minutes 15 seconds West a distance of 49.06 feet to a point;

Thence South 37 degrees 17 minutes 05 seconds East a distance of 118.89 feet to a point;

Thence South 52 degrees 43 minutes 23 seconds West, a distance of 82.39 feet to a point;

Thence North 86 degrees 44 minutes 45 seconds West, a distance of 154.75 feet to a point on the easterly right of way line of Canton Road (80 feet in width) (S.R. 91);

Thence North 37 degrees 17 minutes 05 seconds West, along the easterly right of way line of said Canton Road, a distance of 205.56 feet to a point on the southerly right of way line of said Brittany Boulevard;

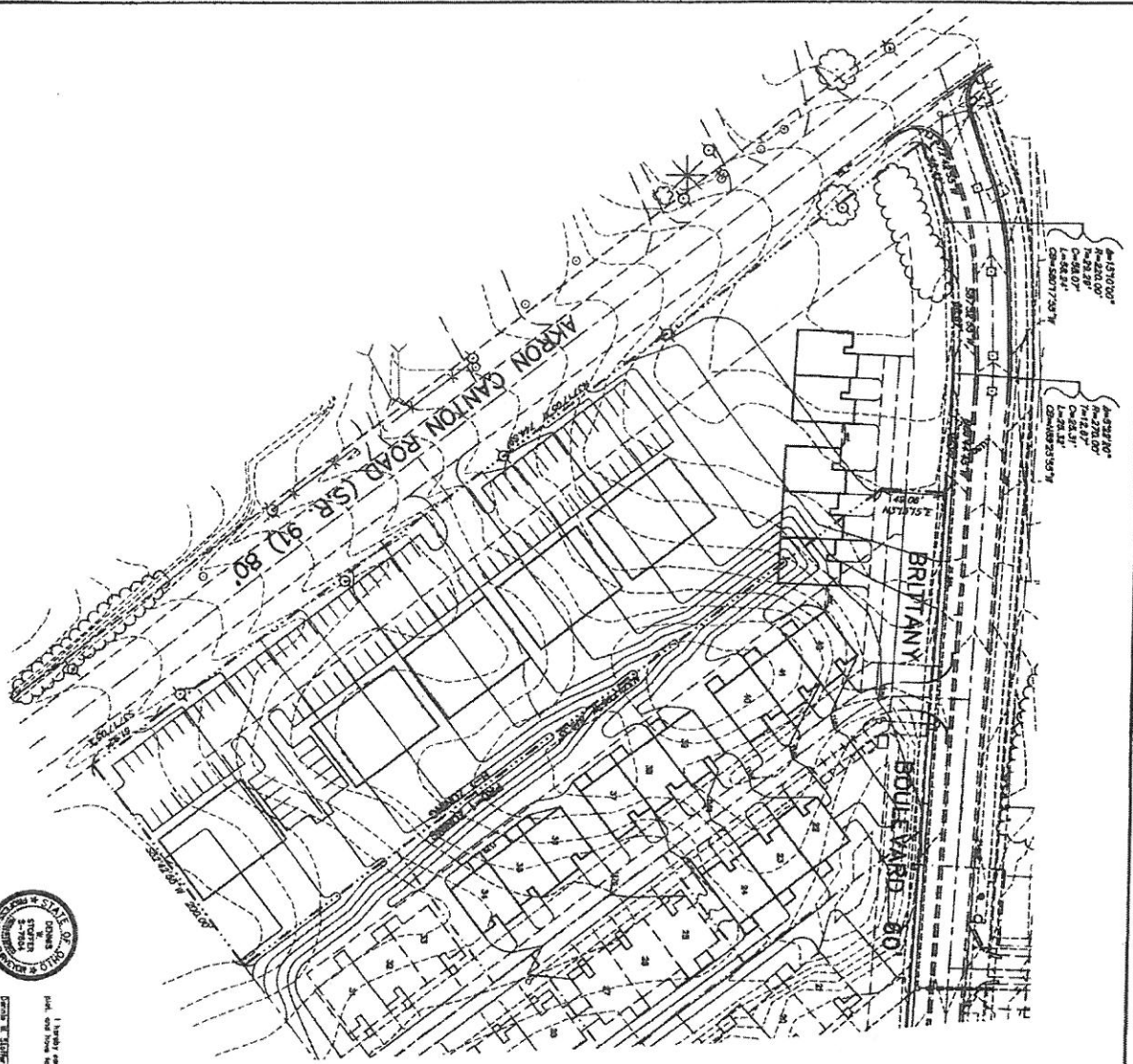
Thence North 72 degrees 42 minutes 55 seconds East, along the southerly right of way line of said Brittany Boulevard, a distance of 6.42 feet to a point of curve;

Thence following an arc of a curve to the right, continuing along the southerly right of way line of said Brittany Boulevard, having a radius of 220.00 feet, a central angle of 15 degrees 10 minutes 00 seconds, a tangent distance of 29.29 feet, a chord distance of 58.07 feet which bears North 80 degrees 17 minutes 55 seconds East, a distance of 58.24 feet to a point of tangency;

Thence North 87 degrees 52 minutes 55 seconds East, continuing along the southerly line of said Brittany Boulevard, a distance of 66.67 feet to a point of curve;

Thence following an arc of a curve to the right, continuing along the southerly right of way line of said Brittany Boulevard, having a radius of 270.00 feet, a central angle of 5 degrees 22 minutes 20 seconds, a tangent distance of 12.67 feet, a chord distance of 25.31 feet which bears South 89 degrees 25 minutes 55 seconds East, a distance of 25.32 feet to a point of tangency;

Thence South 86 degrees 44 minutes 45 seconds East, continuing along the southerly right of way line of said Brittany Boulevard, a distance of 82.00 feet to the true point of beginning and containing 46,077 square feet or 1.0578 acres of land, more or less.



I hereby certify that I have prepared the plans shown on this plan, and that I am a duly Licensed Professional Engineer in the State of Ohio, License No. 97521.

THOMAS E. STINE

BLK - TOP SURVEY POINT ELEVATION
 CHAIN - 100' CHAIN OF SURVEY
 ELEV. - 1184.12



SITE DATA
 TOTAL AREA OF LOT - 3.5000 AC.

NOTED TO BE RELATED FROM LOCAL
 PROVISIONS SET BY A HUNTER COUNTY.

BRITANNIA COMMONS DEVELOPMENT COMPANY
 1833 SPENCER ROAD
 AKRON, OHIO 44313
 (330) 881-0077

SPAGNIULO & ASSOCIATES, LLC
 300 WEST MARKET STREET, SUITE 200
 CLEVELAND, OHIO 44113
 (216) 522-4444
 FAX (216) 522-4415

Final Development Plan for
BRITANNIA MEADOWS
 VILLAGE OF LANGHOE
 COUNTY OF SUMMIT
 STATE OF OHIO

SCALE: 1" = 40'

APRIL, 2018

ARTICLE VIII - ADMINISTRATIVE PROVISIONS

CHAPTER 803

Amendments to Zoning Regulations

SECTION 803.1 AMENDMENTS TO ZONING REGULATIONS

The Council may from time to time on its own motion on recommendation from the Planning Commission or on petition from property owner(s), after public notice and hearing, amend or change the regulations, districts or building lines herein established according to the following procedures.

- a. No such amendment or change shall be effective unless the ordinance or petition proposing such amendment or change shall first be submitted to the Village Planning Commission for approval, disapproval or suggestions, and the Village Planning Commission shall have been allowed a reasonable time, not less than 30 days for consideration and report.
- b. Each applicant for an amendment, except those initiated by Council or the Planning Commission, shall be accompanied by a certified check, bank money order or cash, payable to the Treasurer of the Village of Lakemore in the amount set forth by the Village Council to cover the processing of the zoning application.
- c. Before any such proposed amendment or supplement may be passed, the Village Council shall hold a public hearing thereon and shall give at least 30 days notice of the time and place thereof in a local newspaper selected by the Council or Village Clerk for such purpose. (1249-1998)
- d. The Village Council shall either adopt or deny the recommendation of the Village Planning Commission or adopt some modification thereof. No such amendment or supplement which violates, differs from, or departs from the recommendation of the Planning Commission shall take effect unless passed or approved by not less than five of the members of the Village Council.

300⁰⁰ fee +
750⁰⁰ deposit