ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, JANUARY 22, 2019
7:00 P.M.

ROLL CALL OF MEMBERS:

PLEDGE OF ALLEGIANCE:

DISCUSSION:

1. AMENDMENT TO COUNCIL RULE NO. 1 - PER COUNCIL PRESIDENT VECCHIO

2. AMENDMENT TO COUNCIL RULE NO.2 - PER COUNCIL PRESIDENT VECCHIO

3. AN ORDINANCE ADOPTING A WRITTEN CREDIT CARD POLICY FOR THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella - PER COUNCIL PRESIDENT VECCHIO.

ADJOURNMENT:

Posted 1/18/19

RULE NO. 1: MEETING PLACE
All meetings of Council shall be held in the John A. Poloyne Community Center in the Council Community Room, unless otherwise ordered by Council for the years 2018-2019.

RULE NO. 2: MEETINGS PUBLIC - SUNSHINE LAW
All meetings of Council are open to the public except for Executive Sessions, which are specifically exempted by law.

The Chairman will read the motion of the executive meeting and by what authority provided by the Sunshine Law this meeting can be called. At the conclusion of the executive meeting, Council shall return to the floor of Council to adjourn.

The Council may go into Executive Session only from a Regular or Special Meeting to consider:

A. Personnel Matters
B. Purchase and/or Sale of Property
C. Attorney Conferences
D. Negotiations of Bargaining Sessions with Public Employees Concerning Compensation
E. Specialized Details of Security Arrangements

The general public and the news media may, upon written request, be notified of all meetings. A twenty-four (24) hour advance notice will be given for Special Meetings except in the event of an emergency requiring immediate official action. In the event of an emergency, the Member or Members calling the meeting shall notify the Clerk of Council who, in turn, will notify the news media or any person or persons who have requested notification immediately of the time, place and purpose of the meeting.

P/C
Cau Prior 1/22/19
1st R
2nd R
3rd R
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: _____

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
ADOPTING A WRITTEN CREDIT CARD POLICY FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio has mandated, pursuant to HB 312, that all municipal corporations have a written "credit card policy" for use by its employees purchasing goods or services for the benefit of the City, and

WHEREAS, the City of Brook Park had a written policy for credit card use, and

WHEREAS, the City of Brook Park has amended its policy (see Exhibit A) to comply with the mandate of HB 312.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1. That the City of Brook Park hereby adopts the "Credit Card" policy as attached hereto as Exhibit "A," according to the rules set forth in HB 312.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to adopt a written Credit Card Policy for the City; provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

_____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

_____
DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

_____
DIRECTOR OF LAW

CITY-ISSUED CREDIT/PURCHASING CARD POLICY

A. Purpose

The purpose of this policy (the "Policy") is to ensure that City issued credit cards are closely monitored to provide for maximum security and to guard against misuse and/or losses for which the City may be held liable. This policy is meant to comply with the mandates of Sub HB 312 enacted by the 132nd General Assembly. City use includes cases where a purchase order is needed for services, supplies and/or materials, or is purchased from a vendor who issues a purchase card to be used in conjunction with a purchase order. The City-issued cards are NOT for personal use, and will not be permitted to be carried by personnel on a regular basis for any reason. All City credit cards shall be the name of the "City of Brook Park, Ohio and card holder's name where possible. The use of any City credit card account (defined below) shall be subject to the terms and conditions of the Policy.

B. Credit Card Account

The term "credit card account" shall mean any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any card account related to the receipt of grant moneys.

C. General Guidelines

The cards are to be kept in the possession and control of the Finance Department and secured in the safe in the Finance Department.

Each department head or elected official must keep a master list of all employees who are permitted to use City credit cards, along with each employee's title. This list will be provided to the Director of Finance/Taxation quarterly, or whenever changes are made. A copy of the master list must be on file with the Director of Finance/Taxation and must remain current.

A list of the card names showing date, sign out time, sign in time, signature of person using the card is to be kept with the credit card in the safe in the Finance Department. The department head, elected official, or their designee must initial each entry on the log indicating approval of the card's use and the purchase.

The regular purchase order policy and procedures must be followed whenever purchases are made with City issued credit cards. This includes all terms and conditions below.

D. **Policy Administration**

1. Management of credit card accounts

The Director of Finance/Taxation shall determine when a credit card account is to be opened depending on the need, reissued if lost or stolen, suspended or closed depending on the circumstance. Cards will be issued only to authorized City officials, Department Heads, and employees.

The Director of Finance/Taxation shall be responsible for preparing and submitting all applications and other paperwork necessary to open and manage all credit card accounts (i.e., opening, closing, suspending, re-issuance of cards, etc.). The Director of Finance/Taxation reserves the right to suspend any extension of credit for failure to follow this policy.

Employees must return cards to the safe in the Finance Department immediately after each use.

2. Retrieving cards from employees:

The Director of Finance/Taxation must retrieve cards from employees who leave employment of the City.

3. Ensuring documentation requirements are met, the Finance Department will:

a. Ensure necessary detail and documentation is provided on all transactions.

1) A purchase requisition must be completed and approved by the Department Head, Director of Finance/Taxation and the Mayor before the purchase of any goods or services. The Director of Finance/Taxation shall review and recommend approval or denial of credit card invoices prior to any purchase made on behalf of the City of Brook Park.

2) Documentation detailing the goods and services purchased with City of Brook Park credit cards shall be required for all transactions. Adequate documentation shall consist of, but not be limited to, original sales receipts, credit cards slips, etc. At no time shall the City of Brook Park approve payment of credit card invoices without adequate documentation. Documentation shall detail the goods or services purchased, the cost of the goods or services purchased, the date of the purchase and the official business for which the goods or services were purchased.

b. Ensure that itemized receipts and card statements are retained and kept in accordance with the City's Records Retention Schedule.

3. Lost or Stolen Cards/Fraudulent Activity

The Cardholder must immediately notify the Director of Finance/Taxation or his/her designee if a card is damaged, lost, stolen or the subject of suspected fraudulent activity.

E. **Authorized Cardholders**

The following officials and employees (hereinafter "Cardholders") are authorized to use a City-issued credit card:

1. Elected officials

2. Department Heads

3. City employees as deemed necessary for the efficient operation of a City department and approved in writing by the Department Head. Such written approval shall be provided to the Director of Finance/Taxation, who will maintain a master list of all persons authorized to use City-issued credit cards.

F. **Rules and Procedures for Use**

All Credit Cards will be used for City business expenses only. Purchases for personal use are prohibited.

No purchase shall exceed a transaction limit of Five Thousand Dollars ($5,000.00). The maximum credit limit shall not apply to any transaction paid online by the Director of Finance/Taxation or designee.

No credit card will be transferable from one employee to another. Cards will be used only by the cardholder or their designee.

Itemized detailed receipts must be obtained and maintained for all transactions and submitted to the Finance Department for payment.

Pyramiding - i.e., dividing one purchase into two or more, in order to stay within your transaction limit - is not allowed.

Cardholders will not receive cash advances.

Cardholders will be responsible for resolving all discrepancies and ensuring credits are received.

Cardholders will not receive cash back or in-store credits for any refunds or exchanges. Such amounts must be credited to the credit card account. If a supplier

mistakenly issues a refund check, it must be submitted to the Finance Department within two (2) days of receipt by the cardholder.

The City does not pay Ohio sales tax. The cardholder must inform in-state suppliers the City is exempt from Ohio sales tax. A copy of the City's Tax Exempt Certificate is available if the supplier needs one and will be issued by the Director of Finance/Taxation upon request.

If grant funds are being charged, cardholders are responsible for seeing that all granting agency requirements are fulfilled.

Cardholders may not make purchases that violate City policy restricting business transactions that may be perceived as a conflict of interest (purchases such as from a business in which you or a relative have a financial interest).

City credit cards shall not be used for personal uses, personal cash advances or other merchant category exclusions (i.e., alcoholic beverages, tobacco products, etc.)

Actions or omissions by an officer or employee that qualify as misuse of the card will be identified and reported to the appropriate appointing or authorizing authority.

G. **Documentation Requirements**

Cardholders will always obtain an itemized detailed receipt for each transaction. If a cash register tape does not have descriptions, write them on the tape. Any transaction without a properly substantiated receipt is subject to reimbursement to the City by the Cardholder or user that made the purchase.

A receipt is defined as an invoice, cash register receipt, sales slip, or packing slip which contains an itemized list of goods purchased, with dollar amounts, and the name and location of the supplier. An employee of the supplier must sign handwritten receipts.

1. Purchases Made in Person

Retain the itemized receipt in addition to the credit card copy to properly substantiate the purchase.

2. Faxes or Mailed Purchases

A copy of the order as faxed or mailed and fax confirmation (if available) is required.

3. Internet Purchases

All of the following types of documentation are required where possible:

a. Printout of the completed online order form;

b. Printout of the online order confirmation; or

c. Printout of the e-mail confirmation.

Documentation for each purchase made with a City-issued credit card shall be turned into the Finance Department with the statement. If any finance or late charges are assessed due to the Finance Department not receiving adequate documentation and sufficient to pay a bill on time, the Cardholder will be responsible for reimbursing the City for those finance or late charges.

H. **Preventing Fraud**

The Cardholder should use basic security measures, as outlined below, to guard against fraud:

1. DO Keep the card in a secure location; guard the card number carefully.

2. DO Save receipts and statements in a secure area (they may contain your card number).

3. DO Keep an eye on the card during the transaction, and retrieve it as soon as possible.

4. DO Always know where your card is. If you can't find the card, assume the worst: Notify the Director of Finance/Taxation or his/her designee so that the account can be canceled.

5. DO Be aware of what you are signing. Your signature can copy through to other slips deliberately placed underneath.

6. DO Audit your monthly statement closely. Make sure all charges shown are legitimate charges.

7. DO Visit reputable, familiar merchants.

8. DO Report possible fraud immediately.

9. DO NOT Discard credit card slips in public areas, or discard them whole. Thieves can acquire your card number from receipts, slips and statements.

10. DO NOT Lend your card to anyone.

11. DO NOT Give your card number to anyone over the phone unless you know you are dealing with a reputable vendor

I. Unauthorized or Improper Use or Purchases

A City credit card account cannot be used to purchase the following items:

1. Personal items
2. Alcohol and entertainment
3. Controlled substances requiring a DEA license
4. Employee relocation and relocation-related expenses
5. Purchases that involve signing an agreement, license, or contract (e.g., leases)
6. Rental agreements
7. Contracted or personal service providers - specific to unincorporated 1099 service providers (e.g., photography studios, dry cleaners, physicians, medical labs, etc.)
8. Any and all items considered to be illegal as established by existing laws
9. Donations
10. Fuel for a privately-owned vehicles or aircraft

J. Misuse of Cards

Cardholders are responsible for safeguarding the card. If misuse of the card is discovered, disciplinary action up to and including discharge from employment is possible. In the event of misuse of a City credit card account, the City may pursue legal prosecution

Improper costs associated with prohibited purchase will be collected by requesting the employee voluntarily repay the City immediately. The City reserves the right to take any legal action it deems necessary to collect these charges.

Upon the first notice of suspected credit card abuse, the Department Head or employee should immediately advise the Director of Finance/Taxation who will consult with the Director of Law. Any disciplinary proceedings regarding suspected credit card abuse shall be conducted as provided for in the City's employee handbook or civil service rules and regulations.

K. **Cardholder Acknowledgement**

I have read the foregoing Credit/Purchasing Card Policy and acknowledge that I understand it and will abide by its mandates.

_____ _____

Print Name Signature