

**EXECUTIVE & FINANCE COMMITTEE MEETING**

**2010 BUDGET HEARING**

**WEDNESDAY, MARCH 3, 2010 6:30 PM**

CHAIRWOMAN HOLZHEIMER GAIL HAS CALLED EXECUTIVE & FINANCE COMMITTEE MEETING FOR WEDNESDAY, MARCH 3, 2010 AT 6:30 PM IN THE EUCLID MUNICIPAL CENTER COUNCIL CHAMBER.

**AGENDA**

**Ord. (038-10)** An emergency ordinance to establish a solid waste collection fee for residential accounts. (Sponsored by Mayor Cervenik)

**Ord. (039-10)** An emergency ordinance enacting a special assessment upon all property within the City of Euclid to be used for the payment of street lighting within the City. (Sponsored by Mayor Cervenik)

REGINA CAHILL  
CLERK OF COUNCIL

COMMITTEE: ALL COUNCIL

(039-10)

Ordinance No.

By – Mayor Cervenik

An emergency ordinance enacting a special assessment upon all property within the City of Euclid to be used for the payment of street lighting within the City.

WHEREAS, within the City of Euclid street lighting provides benefits for all property owners as it helps to increase the safety of the community; and

WHEREAS, the safety of the citizens is a concern of this Council and Administration and through the enactment of this special assessment the City will have the ability to maintain its current level of street lighting; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and for the daily operation of a municipal department.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: It is hereby deemed necessary to provide for the payment of electric power for street lighting by special assessments on all parcels benefited, which is hereby determined to be all parcels of land within the municipality, except parcels owned by the State of Ohio and other tax exempt parcels.

Section 2: No expenditure shall be made nor any portion of this special assessment used to improve or install additional lighting facilities except to the extent that funds are available after provision for or payment of all costs of electric power.

Section 3: The cost of said improvement, namely the lighting of streets within the municipality, less two percent (2%) for the cost of intersections shall be assessed upon all of the lots and lands within this City which said lots and lands are hereby determined to be specifically benefited by said street lighting. Said assessment shall be levied at the rate of 1.25 mills annually. The cost of said improvement shall include the expense of the preliminary and other surveys and printing and publishing of notices, resolutions and ordinances required, and the serving of said notices, and the cost of construction, if any. No bond shall be issued in anticipation of the collection of said special assessments.

Section 4: The amount of said special assessments shall be certified by the Clerk of Council to the County Auditor, as provided by law, to be placed by the County Auditor upon the tax duplicate and collected as other taxes as part of the 2010 and 2011 tax collections to be levied and collected in the calendar years 2011 and 2012.

Section 5: The Director of Finance is hereby authorized and directed to prepare an estimated assessment of the cost of electric power to provide street lighting and file said estimated costs with the office of the Clerk of Council, showing thereon the amount of the assessment against each lot or parcel of land to be assessed. Said estimated assessment shall be filed in the office of said Clerk and shall be available for public inspection.

Section 6: Upon the filing of the said estimated assessment for street lighting as provided, the Clerk of Council is authorized and directed to cause notice of the passage of this Resolution and of the filing of said estimated assessments to be published in a newspaper of general circulation in the municipality for two (2) consecutive weeks. If the assessment for any lot or parcel of land to be assessed is in the amount of Two Hundred Fifty Dollars (\$250.00) or more, then the owner of said lot or parcel shall be served notice of the passage of this Resolution by United States Certified Mail, postage prepaid, return receipt requested.

Section 7: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

(038-10)

Ordinance No.

By – Mayor Cervenik

An emergency ordinance to establish a solid waste collection fee for residential accounts.

WHEREAS, the City of Euclid wishes to maintain the highest level of public services to City residents; and

WHEREAS, the collection and disposal of garbage and refuse in the City is a matter which affects the public health, welfare and safety of all City residents; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace safety and welfare of the citizens of the City of Euclid, and for the daily operation of a municipal department.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That it has been determined that the cost of garbage, waste and refuse collection shall be borne by the property owner. The cost shall be fourteen dollars (\$14.00) per month, and shall be paid in arrears on a quarterly billing basis commencing with service delivered on January 1, 2010. The billing shall be forwarded to the property address or the tax mailing address of each property and shall be due in a timely manner as evidenced by said billing. Billing will be generated by the City, and payment will be forwarded to the City. The per unit fee shall be discounted to eight dollars (\$8.00) per month for a property owner that receives a reduction in their property tax under the homestead provisions by reason of being permanently and totally disabled, sixty-five years of age or older and who have applied for and received the homestead exemption status and discounts allowed by the Cleveland Water Department.

Section 2: There shall be assessed a penalty of ten percent (10%) per annum on all payments more than thirty (30) days after the date due.

Section 3: Failure of the property owner to pay said billing when due will allow the City to certify the unpaid charge to the tax duplicate of the property which is being provided the service. The property owner shall pay all collection costs and special assessment penalties associated with the late payment in addition to the billing. The Director of Law is authorized to take all steps permitted by law to collect delinquent fees, the Director of Law to initiate the collection process.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor