

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, MAY 21, 2012 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER**

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

INVOCATION*:

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS: Liquor Permit

COUNCIL MINUTES: May 7, 2012

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Monthly Finance Report through April 30, 2012
Safety Committee Minutes: 5/14/12
Board of Control Min.: 4/30/12; 5/7/12

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

- | | | |
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| Public
Hearing | <ol style="list-style-type: none">1. An ordinance rezoning 26190 Lake Shore Blvd., P.P. 645-20-077 from U-8 (Office Building) use to U-2 (two-family) use district and further amending Ord. No. 2812. (Sponsored by Planning & Zoning Commission)2. An emergency ordinance authorizing the sale of Permanent Parcel 642-09-050, 70 East 224th Street, from the Euclid Land Bank to Don H. Mattson for an amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission)3. An emergency ordinance authorizing the sale of Permanent Parcel 644-23-031, 347 East 232nd Street, from the Euclid Land Bank to Nadia Pope for an amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission)4. An emergency ordinance authorizing the sale of Permanent Parcel 641-13-117, 18650 Naumann Avenue, from the Euclid Land Bank to London Fletcher for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission)5. An emergency ordinance authorizing the sale of Permanent Parcels 641-10-105, 18901 Naumann Avenue, and 641-10-106, a former part of 18930 Pasnow Avenue, from the Euclid Land Bank to John and Margaret Kochevar for an amount of One Dollar (\$1.00) each for a total amount of Two Dollars (\$2.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission)6. An emergency ordinance authorizing the sale of Permanent Parcel 642-25-124, 21951 Ball Avenue, from the Euclid Land Bank to Kim Hampton for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission) | <p>Ord.
(055-12)</p> <p>Ord.
(096-12)</p> <p>Ord.
(097-12)</p> <p>Ord.
(098-12)</p> <p>Ord.
(099-12)</p> <p>Ord.
(100-12)</p> |
|---------------------------|--|---|

7. An emergency ordinance authorizing the sale of Permanent Parcel 643-15-020, 980 East 239th Street, from the Euclid Land Bank to Larry A. Parker & Edna R. Hicks for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning & Zoning Commission) Ord. (101-12)
8. An ordinance repealing Section 1387.06, Parallel Fences, of Chapter 1387 of Title 13 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid. (Sponsored by Councilperson Scarniench) (Recommended for passage by Planning & Zoning Commission) Ord. (066-12)
9. An ordinance enacting two new sections related to establishing and consolidating zoning lots within Chapter 1321 and Chapter 1323 of the Planning and Zoning Code of Title 13 of the Euclid Codified Ordinances. (Sponsored by Planning & Zoning Commission) (Recommended for passage by Planning & Zoning Commission) Ord. (085-12)
10. An emergency ordinance authorizing the Mayor or ex-officio Director of Public Safety, to enter into a contract with Blackboard Connect, Inc., to provide emergency weather notification for a period ending March 27, 2013, and for a comprehensive emergency and outreach notification service, including weather alerts, for a two year period, ending March 27, 2015, at a total price not to exceed \$57,000.00. (Sponsored by Mayor Cervenik) Ord. (087-12)
11. An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into agreements for medical and prescription drug administration and stop loss, dental and vision insurance, as recommended by the City's Health Care Consultant, The Fedeli Group, for eligible employees for up to a four (4) year period commencing June 1, 2012 and expiring May 31, 2016. (Sponsored by Mayor Cervenik) Ord. (090-12)
12. An emergency ordinance authorizing the Mayor, as ex-officio Director of Public Safety, to enter into a contract with B&C Communications to supply replacement equipment and services to convert the City of Euclid communication system to narrow banding in an amount not to exceed \$175,000.00. (Sponsored by Councilperson Jones by request of Police Chief) (Recommended for passage by the Safety Committee) Ord. (084-12)
13. A resolution authorizing the Mayor as ex-Officio Director of Public Safety of the City of Euclid to accept a 2012 – 2013 Drug Use Prevention Program Grant in the amount of \$7,385.48 through Ohio Attorney General Mike DeWine for additional drug prevention programs at the Euclid Senior High School. (Sponsored by Mayor Cervenik) Res. (089-12)
14. An ordinance to provide for the issuance and sale of notes of the City of Euclid, Ohio, in anticipation of the issuance of bonds, in an aggregate principal amount not to exceed \$3,415,000 for various purposes, and declaring an emergency. (Sponsored by Council President Holzheimer Gail by request of Finance Director) Ord. (091-12)
15. An ordinance to provide for the issuance and sale of notes of the City of Euclid, Ohio not to exceed \$695,000 in principal amount in anticipation of the issuance of bonds for the purpose of acquiring various equipment for the city's Technology, Finance, Fire, Motor Maintenance, Police and Recreation Departments, and declaring an emergency. (Sponsored by Council President Holzheimer Gail by request of Finance Director) Ord. (092-12)
16. An ordinance to provide for the issuance and sale of non-tax revenue notes of the City of Euclid, Ohio in a principal amount not to exceed \$40,000 in anticipation of the issuance of bonds for the purpose of making various building improvements to the city's Shore Cultural Centre and Henn Mansion and declaring an emergency. (Sponsored by Council President Holzheimer Gail by request of Finance Director) Ord. (093-12)

17. An ordinance to provide for the issuance and sale of notes of the City of Euclid, Ohio in a principal amount not to exceed \$380,000 in anticipation of the issuance of bonds for the purpose of acquiring motorized vehicular equipment and appurtenances thereto for the Mayor's office, Parks, Police and Engineering Departments, and declaring an emergency. (Sponsored by Council President Holzheimer Gail by request of Finance Director) Ord. (094-12)
18. An ordinance to provide for the issuance and sale of notes of the City of Euclid, Ohio in a principal amount not to exceed \$775,000 in anticipation of the issuance of bonds for the purpose of reconstructing, resurfacing and otherwise improving city streets, making certain repairs to sewer facilities in connection with street improvements and installing curbs as necessary, together with the necessary appurtenances thereto, and declaring an emergency. (Sponsored by Council President Holzheimer Gail by request of Finance Director) Ord. (095-12)
19. A resolution authorizing the Mayor of the City of Euclid to execute an extension Agreement by and between the City of Euclid and the International Association of Fire Fighters, Local 377, as exclusive bargaining agent for all Fire Fighters. (Sponsored by Mayor Cervenik) Res. (088-12)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

PP#s 645-20-077
U-8 to U-2

Ordinance No.

By – Councilperson O'Hare

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates U-8 and U-2 use districts relative to said property.

WHEREAS, public notice and hearings have been given in connection with the changing of U-8 and U-2 use districts relative to the hereinafter described property as is established by Ordinance No. 2812, as passed by the Council of the Village of Euclid on the 13th day of December, 1922, which ordinance has from time to time been amended; and

WHEREAS, the amendment of said Ordinance No. 2812, which pertains to the hereinafter described property, by transferring said property from U-8 to U-2 use district, has been referred to the City Planning and Zoning Commission; and

WHEREAS, the City Planning and Zoning Commission has considered such amendment and proposed change at its regularly scheduled meeting on April 10, 2012, which will add to the present U-2 use district by inclusion of the property hereinafter described, and has recommended approval to Council; and

WHEREAS, in the interest of the general welfare of the City of Euclid and in order to promote the general advantage of public peace, safety, morals, convenience and prosperity of the inhabitants of the City of Euclid, this Council is of the opinion that the U-2 use district should be extended to include the property hereinafter described.

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

Section 1: That the following property:

PP# 645-20-077

Situated in the City of Euclid, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 1 in the Lukek Subdivision as recorded in Volume 179 of Maps, Page 84 of the Cuyahoga County Records and being part of Original Euclid Township Tract 20, and further bounded and described as follows:

Beginning at the point of the intersection of the Southerly sideline of Lake Shore Boulevard (80 feet wide) with the Westerly line of said Sublot No. 1;

Thence North 60 deg. 04'00" East along said Southerly sideline of Lake Shore Boulevard, 72.40; feet to a point;

Thence South along the Easterly line of said Sublot No.1, 172.30 feet to a point;

Thence West 62.74 feet to a point;

Thence North along said Westerly line of Sublot No. 1, 136.17 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2: That so much of Section 1 of Ordinance No. 2812, as amended, as relates to the U-2 use district shall be extended to include the territory described in Section 1 hereinabove.

Section 3: That the map as adopted December 13, 1922 and as thereafter amended, is hereby amended to conform with the change of property described in Section 1 of the ordinance from U-8 to U-2 use district.

Section 4: That so much of Ordinance No. 2812, as amended, and the map and map designations as placed the above described property in U-8 use district, is hereby repealed.

Section 5: 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 of 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 6: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

Passed:

Effective:

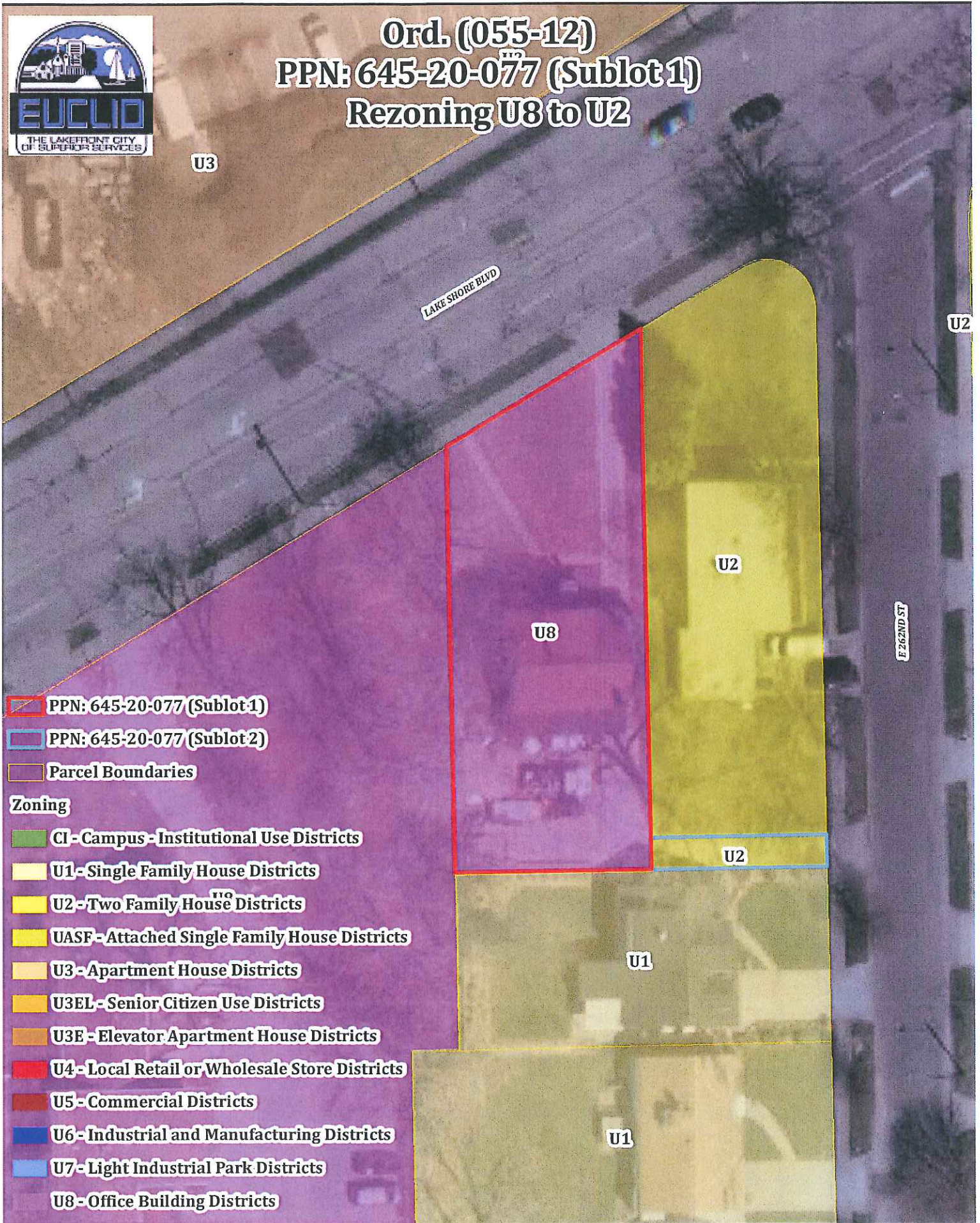
President of Council

Approved:

Mayor



Ord. (055-12) PPN: 645-20-077 (Sublot 1) Rezoning U8 to U2



PPN: 645-20-077 (Sublot 1)

PPN: 645-20-077 (Sublot 2)

Parcel Boundaries

Zoning

- CI - Campus - Institutional Use Districts
- U1 - Single Family House Districts
- U2 - Two Family House Districts
- UASF - Attached Single Family House Districts
- U3 - Apartment House Districts
- U3EL - Senior Citizen Use Districts
- U3E - Elevator Apartment House Districts
- U4 - Local Retail or Wholesale Store Districts
- U5 - Commercial Districts
- U6 - Industrial and Manufacturing Districts
- U7 - Light Industrial Park Districts
- U8 - Office Building Districts



Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 642-09-050, 70 East 224th Street, from the Euclid Land Bank to Don H. Mattson for an amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, Don H. Mattson owns the adjacent property, 74 East 224th Street, and desires to purchase the 70 East 224th Street parcel for yard expansion; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the 70 East 224th Street (Permanent Parcel No.642-09-050) to Don H. Mattson for an amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor’s market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel 642-09-050, from the Euclid Land Bank to Don H. Mattson in the amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved.

Section 2: That City Council approves the sales price adjustment below the Cuyahoga County Auditor’s market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

Section 3: 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 4: 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

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 644-23-031, 347 East 232nd Street, from the Euclid Land Bank to Nadia Pope for an amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, Nadia Pope owns the adjacent property, 341 East 232nd Street, and desires to purchase the 347 East 232nd Street parcel for yard expansion; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the 347 East 232nd Street (Permanent Parcel 644-23-031) to Nadia Pope for an amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor’s market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel 644-23-031 from the Euclid Land Bank to Nadia Pope in the amount of One Thousand Dollars (\$1,000.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved.

Section 2: That City Council approves the sales price adjustment below the Cuyahoga County Auditor’s market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

Section 3: 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 4: 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

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 641-13-117, 18650 Naumann Avenue, from the Euclid Land Bank to London Fletcher for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, London Fletcher owns the adjacent property, 18670 Naumann Avenue, and desires to purchase the 18650 Naumann Avenue parcel for yard expansion; and

WHEREAS, the purchased parcel is to be consolidated within six (6) months of transfer into the purchasers' parcel with final approval subject to review and approval of the City Engineer; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the 18650 Naumann Avenue (Permanent Parcel No. 641-13-117) to London Fletcher for an amount of One Dollar (\$1.00); and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel, 641-13-117 from the Euclid Land Bank to London Fletcher in the amount of One Dollar (\$1.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved with condition.

Section 2: That City Council approves the consolidation of Parcel No. 641-13-117 with the Purchasers' Parcel No. 641-13-118 with condition said consolidation to be completed within six (6) months of transfer, with final approval, subject to review and approval of the City Engineer.

Section 3: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

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

Passed:

President of Council

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcels 641-10-105, 18901 Naumann Avenue, and 641-10-106, a former part of 18930 Pasnow Avenue, from the Euclid Land Bank to John and Margaret Kochevar for an amount of One Dollar (\$1.00) each for a total amount of Two Dollars (\$2.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, John and Margaret Kochevar own the adjacent property, 18931 Naumann Avenue, and desire to purchase the 18901 Naumann Avenue and the former part of 18930 Pasnow Avenue parcels for yard expansion; and

WHEREAS, the purchased parcels are to be consolidated within six (6) months of transfer into the purchasers' parcel with final approval subject to review and approval of the City Engineer; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the Permanent Parcels 641-10-105 and 641-10-106, 18901 Naumann Avenue and former part of 18930 Pasnow Avenue, from the Euclid Land Bank to John and Margaret Kochevar for an amount of One Dollar (\$1.00) each for a total amount of Two Dollars (\$2.00)

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcels 641-10-105, 18901 Naumann Avenue, and 641-10-106, a former part of 18930 Pasnow Avenue, from the Euclid Land Bank to John and Margaret Kochevar for an amount of One Dollar (\$1.00) each for a total amount of Two Dollars (\$2.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved with condition.

Section 2: That City Council approves the consolidation of Parcel Nos. 641-10-105 and 641-10-106 with the Purchasers' Parcel No. 641-10-104 with condition said consolidation to be completed within six (6) months of transfer, with final approval, subject to review and approval of the City Engineer.

Section 3: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

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

Passed:

President of Council

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 642-25-124, 21951 Ball Avenue, from the Euclid Land Bank to Kim Hampton for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, Kim Hampton owns the adjacent property, 21975 Ball Avenue, and desires to purchase the 21951 Ball Avenue parcel for yard expansion; and

WHEREAS, the purchased parcel is to be consolidated within six (6) months of transfer into the purchasers' parcel with final approval subject to review and approval of the City Engineer; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the 21951 Ball Avenue (Permanent Parcel No. 642-25-124) to Kim Hampton for an amount of One Dollar (\$1.00); and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel, 642-25-124 from the Euclid Land Bank to Kim Hampton in the amount of One Dollar (\$1.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved with condition.

Section 2: That City Council approves the consolidation of Parcel No. 642-25-124 with the Purchasers' Parcel No. 642-25-123 with condition said consolidation to be completed within six (6) months of transfer, with final approval, subject to review and approval of the City Engineer.

Section 3: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

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

Passed:

President of Council

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 643-15-020, 980 East 239th Street, from the Euclid Land Bank to Larry A. Parker & Edna R. Hicks for an amount of One Dollar (\$1.00), as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank to be sold for private use; and

WHEREAS, Larry A. Parker & Edna R. Hicks own the adjacent property, 978 East 239th Street, and desire to purchase the 980 East 239th Street parcel for yard expansion; and

WHEREAS, the purchased parcel is to be consolidated within six (6) months of transfer into the purchasers' parcel with final approval subject to review and approval of the City Engineer; and

WHEREAS, at its meeting on May 15, 2012 the Planning and Zoning Commission recommended approval of the sale of the 980 East 239th Street (Permanent Parcel No. 643-15-020) to Larry A. Parker & Edna R. Hicks for an amount of One Dollar (\$1.00); and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; 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 to allow the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel, 643-15-020 from the Euclid Land Bank to Larry A. Parker & Edna R. Hicks in the amount of One Dollar (\$1.00), as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved with condition.

Section 2: That City Council approves the consolidation of Parcel No. 643-15-020 with the Purchasers' Parcel No. 643-16-092 with condition said consolidation to be completed within six (6) months of transfer, with final approval, subject to review and approval of the City Engineer.

Section 3: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

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

Passed:

President of Council

Approved:

Mayor

Ordinance No.

By – Councilperson Scarniench

An ordinance repealing Section 1387.06, Parallel Fences, of Chapter 1387of Title 13 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid.

WHEREAS, over the years the Planning & Zoning Commission has received and granted numerous requests for variances from the distance requirements between parallel fences of Section 1387.06, Parallel Fences; and

WHEREAS, the creation of dead spaces between fences is not desirable; and

WHEREAS, the current restriction creates a significant potential for conflicts between adjacent homeowners, with no apparent public benefit; and

WHEREAS, the current law establishes preferential treatment for fences installed first, regardless of the condition or type of fence in question; and

WHEREAS, the Planning & Zoning Commission requested that the process be initiated to eliminate Section 1387.06, Parallel Fences; and

WHEREAS, at the May 15, 2012 Planning & Zoning Commission meeting, the Commission formally recommended the repeal of Section 1387.06, Parallel Fences, to Euclid City Council.

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

Section 1: That Section 1387.06, Parallel Fences, of Chapter 1387of Title 13 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby repealed.

Section 2: 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 3: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.
By – Planning & Zoning

An ordinance enacting two new sections related to establishing and consolidating zoning lots within Chapter 1321 and Chapter 1323 of the Planning and Zoning Code of Title 13 of the Euclid Codified Ordinances.

WHEREAS, it is common in built-up communities such as Euclid for new development proposals to involve multiple unconsolidated parcels; and

WHEREAS, various City of Euclid and State ordinances require that accessory structures, open yard areas, access drives and parking be provided at the time of establishing a new use or new construction; and

WHEREAS, single unified lots provide the greatest continuity in enforcing that facilities required by a use are uniformly maintained by the responsible ownership of a property; and

WHEREAS, due to the implementation of various storm water control ordinances new construction often requires development of exterior storm water retention facilities which add a significant maintenance burden to various investment grade properties and, therefore, it is desirable for such facilities to be on the same lot as the primary use they serve; and

WHEREAS, single unified lots also streamline enforcement procedures in the event of a property foreclosure; and

WHEREAS, in the past consolidation would be undertaken as part of the Building Code review process, however, the State Board of Building Standards now strongly discourages the application of the Ohio Building Code to lot line configuration issues; and

WHEREAS, a preferred alternative is to incorporate lot consolidation requirements in the Planning and Zoning Code.

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

Section 1: That a new section 1321.21, Zoning Lot, be added to the definitions section of the Zoning Code of the Euclid Codified Ordinances.

1321.25 Zoning Lot

Any lot or set of lots, which are under common ownership and are used by the Zoning Commissioner, Building Commissioner or City Engineer in the review and approval of construction permits or certificates of occupancy as required by the Euclid Codified Ordinances shall constitute a zoning lot. This set of lots is to contain all land needed to provide for conformity with required yard areas, open spaces, open perimeter and fire access requirements, parking, landscaping, storm water retention and treatment areas or other structures needed to insure that a building or legal occupancy conforms with the Euclid Codified Ordinances.

Section 2: That a new section 1323.05, Consolidation of Zoning Lots Required, be added to the Interpretation Purpose and Penalty Section of the Zoning Code of the Euclid Codified Ordinances.

1323.05 Consolidation of Zoning Lots Required

All of the individual parcels of land within the boundaries of a zoning lot used to authorize new construction are required to be consolidated by plat of consolidation into a single parcel of land and recorded in the land records of Cuyahoga County Ohio before a certificate of occupancy is issued.

Section 3: 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 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

Passed:

Effective:

President of Council

Approved:

Mayor

Ordinance No.

By – Mayor Cervenik

An emergency ordinance authorizing the Mayor or ex-officio Director of Public Safety, to enter into a contract with Blackboard Connect, Inc., to provide emergency weather notification for a period ending March 27, 2013, and for a comprehensive emergency and outreach notification service, including weather alerts, for a two year period, ending March 27, 2015, at a total price not to exceed \$57,000.00.

WHEREAS, the City has engaged Blackboard Connect, Inc., to provide unlimited emergency notification and outreach messaging for a one year period ending March 27, 2013; and

WHEREAS, the Public Safety departments have determined and recommended the addition of the weather alert function be added to the current emergency service menu; and

WHEREAS, the City has determined that it is advantageous to extend the current service, with weather alerts, for an additional two year period; and

WHEREAS, the ordinance constitutes an emergency in that it provides for the health and well being of the residents and business located within the city.

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

Section 1: That the Mayor of the City of Euclid as ex-officio Director of Public Safety, is hereby authorized to execute an agreement with Blackboard Connect, Inc. for the addition of weather alert service for the current plan year on a pro rated basis, in the amount of \$2,166.44.

Section 2: That the Mayor of the City of the City of Euclid as ex-officio Director of Public Safety is hereby authorized to execute an agreement with Blackboard Connect, Inc. for unlimited emergency notification, including weather alert, and community outreach notification for a two-year period ending March 27, 2015, in the amount of \$54,850.00.

Section 3: Funds to pay for this expenditure are to be derived from the General Fund.

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

Ordinance

By – Mayor Cervenik

An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into agreements for medical and prescription drug administration and stop loss, dental and vision insurance, as recommended by the City's Health Care Consultant, The Fedeli Group, for eligible employees for up to a four (4) year period commencing June 1, 2012 and expiring May 31, 2016.

WHEREAS, the current contracts for the various health care providers will expire on May 31, 2012; and

WHEREAS, based upon a comprehensive review of various coverage options, the Fedeli Group has recommended coverage using Medical Mutual of Ohio and Humana as providers; and

WHEREAS, the City proposed to renew medical and prescription drug administration, and stop loss coverage for a one year period with Medical Mutual of Ohio at an increase of 5.63% over 2012 rates; and

WHEREAS, the City proposed to provide up to three years of dental coverage and up to four years of vision coverage through Humana; and

WHEREAS, the City anticipates medical and prescription claim liability to increase 2.73% for a one year period commencing June 1, 2012.

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

Section 1: That the Director of Finance is hereby authorized to enter into agreements for medical, stop loss, dental, vision and prescription health care insurance, as recommended by the City's Health Care Consultant, The Fedeli Group, for eligible employees for up to a four (4) year period, commencing June 1, 2012 and expiring May 31, 2016.

Section 2: That funds to pay for this expenditure are to be derived from the General Fund (Non-Departmental Health Account) and various other funds.

Section 3: 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 4: That this ordinance shall 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

Ordinance No.

By – Councilperson Jones (by request of the Chief of Police)

An emergency ordinance authorizing the Mayor, as ex-officio Director of Public Safety, to enter into a contract with B&C Communications to supply replacement equipment and services to convert the City of Euclid communication system to narrow banding in an amount not to exceed \$175,000.00

WHEREAS, the conversion to narrow banding of the City's emergency communication system is required by the Federal Communication Commission to be completed before January 1, 2013; and

WHEREAS, the equipment replacement and conversion will cover radio communications for all City departments and includes reprogramming current compatible equipment to the narrow band frequencies; and

WHEREAS, the project scope includes the replacement of several component pieces which will be supplied at or below state cooperative pricing; and

WHEREAS, B&C Communications provides ongoing maintenance and service for the City's radio communication system under a separate service agreement; and

WHEREAS, funding for the conversion and replacement has been included in the 2012 capital budget; 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 the Mayor, as ex-officio Director of Public Safety, be authorized to enter into a contract with B&C Communications to supply replacement equipment and services to convert the City of Euclid communication system to narrow banding, in conformity with the Federal Communication commission requirements, with the conversion to be completed on or before January 1, 2013, in a total contract amount not to exceed \$175,000.00.

Section 2: That the form of the agreement be approved by the Director of Law.

Section 3: Funds to pay for this expenditure are to be derived from the 2012 General Permanent Improvement Fund.

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

Passed:

President of Council

Approved:

Mayor

Resolution No.

By – Mayor Cervenik

A resolution authorizing the Mayor as ex-Officio Director of Public Safety of the City of Euclid to accept a 2012 – 2013 Drug Use Prevention Program Grant in the amount of \$7,385.48 through Ohio Attorney General Mike DeWine for additional drug prevention programs at the Euclid Senior High School.

WHEREAS, the City of Euclid applied for a drug prevention and awareness grant through the office of the Ohio Attorney General: and

WHEREAS, the grant will allow a Euclid Police Officer to provide individual drug counseling and educate high school students.

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

Section 1: That the Mayor as ex-Officio Director of Public Safety is hereby authorized to accept a 2012 - 2013 Drug Use Prevention Program Grant in the amount of \$7,385.48 through Ohio Attorney General Mike DeWine for additional drug prevention programs at the Euclid Senior High School.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution 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 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$670,000 for the purpose of acquiring motorized vehicular equipment and appurtenances thereto for the Engineering, Fire and Police Departments (the "Equipment"):

1. That the estimated life or period of usefulness of the Equipment is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least five (5) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is June 15, 2021, which is ten (10) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$260,000 for the purpose of acquiring various equipment for the City's Technology, Police and Recreation Departments (the "Equipment"):

1. That the estimated life or period of usefulness of the Equipment is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least ten (10) years, since by my estimate if and to the extent a portion of the proceeds of the bonds may be determined to be allocated to a class or classes having a maximum maturity of less than ten (10) years but in excess of five (5) years, then the maximum maturity of the bonds would still be at least ten (10) years by virtue of the fact that a sufficient portion of the proceeds of the bonds are allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of ten (10) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is June 15, 2026, which is fifteen (15) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$1,070,000 for the purpose of reconstructing, resurfacing and otherwise improving City streets, making certain repairs to sewer facilities in connection with street improvements and installing curbs as necessary, together with the necessary appurtenances thereto (the "Improvements"):

1. That the estimated life or period of usefulness of the Improvements is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least twenty (20) years, since by my estimate if and to the extent a portion of the proceeds of the bonds may be determined to be allocated to a class or classes having a maximum maturity of less than twenty (20) years but in excess of five (5) years, then the maximum maturity of the bonds would still be at least twenty (20) years by virtue of the fact that a sufficient portion of the proceeds of the bonds are allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of twenty (20) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is June 15, 2031, which is twenty (20) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$1,415,000 for the purpose of financing recreational facilities of the City in accordance with the Euclid Waterfront Improvements Plan, including but not limited to the construction of a fishing pier and walking trails at Sims Park, and all necessary appurtenances thereto (the "Improvements"):

1. That the estimated life or period of usefulness of the Improvements is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least thirty (30) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is June 15, 2031, which is twenty (20) years from the date of the notes originally issued for such purpose.

4. I estimate that the full amount of the debt service on the Notes payable in fiscal year 2012 can be paid in fiscal year 2012 from payments in lieu of taxes.

Director of Finance
City of Euclid, Ohio

Ordinance No.

By – Council President Holzheimer Gail (by request)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES OF THE CITY OF EUCLID, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,415,000 FOR VARIOUS PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, this Council passed Ordinance No. 122-1994 on May 16, 1994, Ordinance No. 182-1994 on June 20, 1994 and Ordinance No. 33-2005 on March 21, 2005 (collectively, the “TIF Ordinances”), pursuant to which it declared certain improvements (“the “Improvements”) to property identified in said Ordinances (herein the “Property”) to be a public purpose in accordance with Section 5709.40 of the Ohio Revised Code and pursuant to which payments in lieu of taxes (“PILOTs”) are required to be made in connection with the increase in assessed valuation of the Property as a result of the Improvements and under the terms of the TIF Ordinances and Section 5709.42 of the Ohio Revised Code;

WHEREAS, pursuant to Ordinance No. 45-2011, passed April 4, 2011, the Council of the City authorized the issuance of notes in anticipation of the issuance of bonds in the principal amount of \$670,000 for the purpose of acquiring motorized vehicular equipment and appurtenances thereto for the Engineering, Fire and Police Departments (“2011 Motorized Equipment Project”), which notes are part of a consolidated issue of Various Purpose General Obligation Bond Anticipation Notes, Series 2011, which notes are dated June 15, 2011 and will mature June 14, 2012 (the “2011 Issue”);

WHEREAS, pursuant to Ordinance No. 46-2011, passed April 4, 2011, the Council of the City authorized the issuance of notes in anticipation of the issuance of bonds in the principal amount of \$1,070,000 for the purpose of reconstructing, resurfacing and otherwise improving City streets, making certain repairs to sewer facilities in connection with street improvements and installing curbs as necessary together with the necessary appurtenances thereto (“2011 Street Improvement Project”), which notes are part of the 2011 Issue;

WHEREAS, pursuant to Ordinance No. 47-2011, passed April 4, 2011, the Council of the City authorized the issuance of notes in anticipation of the issuance of bonds in the principal amount of \$260,000 for the purpose of acquiring various equipment for the City’s Technology, Police and Recreation Departments (“2011 Equipment Acquisition Project”), which notes are part of the 2011 Issue;

WHEREAS, pursuant to Ordinance No. 85-2011, passed June 6, 2011, the Council of the City authorized the issuance of notes in anticipation of the issuance of bonds in the principal amount of \$875,000 for the purpose of financing recreational facilities of the City in accordance with the Euclid Waterfront Improvement Plan, including but not limited to the construction of a fishing pier and walking trails at Sims Park, and all necessary appurtenances thereto (“2011 Recreational Facilities Project”), which notes are part of the 2011 Issue;

WHEREAS, pursuant to Ordinance No. 86-2011, passed June 6, 2011, the Council of the City authorized the issuance of taxable notes in anticipation of the issuance of taxable bonds in the principal amount of \$540,000 for the purpose of financing recreational facilities of the City in accordance with the Euclid Waterfront Improvements Plan, including but not limited to the construction of a fishing pier and walking trails at Sims Park, and all necessary appurtenances thereto (the “2011 Additional Recreational Facilities Project”), which notes are dated November 17, 2011 and will mature June 14, 2012 (the “2011 Taxable Issue”);

WHEREAS, the Council of the City has determined that the City should retire the 2011 Issue and the 2011 Taxable Issue, together with other funds of this City available for such purpose, with the proceeds of the Notes described in Section 3 below;

WHEREAS, the Director of Finance, as fiscal officer, has certified to this Council that the estimated life of the improvements hereinafter mentioned is at least five (5) years and has further certified the maximum maturity of the hereinafter mentioned bonds for each such purpose and the maximum maturity of notes issued in anticipation of said bonds for each such purpose;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Euclid, Cuyahoga County, Ohio that:

SECTION 1. It is necessary to issue bonds of the City of Euclid in an aggregate principal amount not to exceed \$3,415,000 for the purpose of paying costs of the following projects: (a) the 2011 Motorized Equipment Project (\$670,000), (b) the 2011 Street Improvement Project (\$1,070,000), (c) the 2011 Equipment Acquisition Project (\$260,000), (d) the 2011 Recreational Facilities Project (\$875,000), and (e) the 2011 Additional Recreational Facilities Project (\$540,000) (collectively the "Projects"). The 2011 Recreational Facilities Project and the 2011 Additional Recreational Facilities Project shall be referred to as the "Recreational Facilities Project".

SECTION 2. The bonds shall be dated approximately June 1, 2013, shall bear interest at the estimated rate of six per centum (6%) per annum, payable semi-annually until the principal sum is paid, and shall mature as certified by the Director of Finance. The first interest payment and the first principal payment on the bonds is estimated to be December 1, 2013.

SECTION 3. It is determined that notes (hereinafter referred to as the "Notes") in a principal amount not to exceed \$3,415,000 shall be issued in anticipation of the issuance of the bonds for the respective Projects. The Notes shall be sold at private sale and shall bear interest at the rate fixed by the Director of Finance in his certificate awarding the Notes, provided that such rate shall not exceed five per centum (5%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate not exceeding the maximum interest rate of ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance of the Notes, as determined by the Director of Finance. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the original purchaser of the Notes requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon ten (10) days written notice to the Paying Agent for the Notes (as defined below). In addition, the Notes shall be issued in the numbers and denominations requested by the original purchaser, provided that the Notes shall be issued only in denominations of \$100,000 or integral multiples of \$1,000 in excess thereof. The Notes shall be payable as to both principal and interest at a bank or trust company designated by the Director of Finance (herein individually or collectively, the "Paying Agent"), without deduction for exchange, collection or service charge; and may be payable in Federal Reserve funds of the United States of America if requested by the purchaser of the Notes.

SECTION 4. The Notes shall be designated "Various Purpose General Obligation Bond Anticipation Notes, Series 2012". Pursuant to Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Notes with other notes into a single consolidated issue of notes for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bond Anticipation Notes, Series 2012". Such notes shall contain a summary statement of purposes encompassing the purpose for which the Notes and any other notes are issued, shall be issued in the numbers and denominations requested by the original purchaser, subject to the provisions of Section 3 of this ordinance and shall be executed by the Mayor and the Director of Finance of the City, provided that one of such signatures may be a facsimile signature.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-

entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as he determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes "immobilized" in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Notes shall be sold by the Director of Finance and at private sale to Stifel, Nicolaus & Co., Inc. (the "Original Purchaser") at a purchase price not less than the par value thereof, at an interest rate not exceeding that specified in Section 3 of this Ordinance and which purchase price and interest rate the Director of Finance determines is in accordance with the best interests of the City; and the Director of Finance is hereby authorized and directed to obtain the assistance of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio and to deliver the Notes, when executed, to the original purchaser or purchasers thereof upon payment of the purchase price. The proceeds from the sale of the Notes shall be paid into the proper fund and, pursuant to the provisions of Section 133.15(B) of the Ohio Revised Code, are deemed appropriated for and shall be used for the purpose for which the Notes are being issued under the provisions of this Ordinance and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any premium received by the City and accrued interest shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law.

The City covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary so that the Notes will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Notes shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Notes.

The City covenants that (a) it will take or cause to be taken such actions which may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of

that interest under the Code. The Director of Finance and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

SECTION 6. The Notes which are used to refund the 2011 Issue have previously been designated by the City as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code.

The Notes which are used to refund the 2011 Taxable Issue are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code. The City hereby covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Notes are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Notes, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Notes (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Notes to cease to be “qualified tax-exempt obligations.”

SECTION 7. If requested by the Original Purchaser of the Notes, the Director of Finance is authorized to execute a continuing disclosure certificate (the “Disclosure Certificate”) setting forth the City’s undertaking to provide annual reports and notices of certain events dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the “Noteholders”) and to assist the Original Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). If a Disclosure Certificate is executed, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

SECTION 8. The Notes shall be full general obligations of the City and the full faith and credit of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is hereby pledged for such purpose.

SECTION 9. During the years that the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually at the rate not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. This tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. In addition, this tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of the revenues so available and appropriated. The City covenants that the PILOTs shall be used for the purpose of paying all or a portion of the principal of and interest on the Notes in connection with the Recreational Facilities Project.

SECTION 10. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, have been or will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in the issuance of the Notes.

SECTION 11. The Clerk of Council is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 12. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Notes as provided in this Ordinance.

SECTION 13. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

SECTION 14. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the citizens of the City of Euclid and for the further reason that the immediate issuance and sale of the Notes is necessary to provide funds to retire the 2011 Issue and the 2011 Taxable Issue which are about to mature and thereby protect the credit of the City, and provided it receives the two-thirds (2/3) vote of all members elected to Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of not to exceed \$695,000 of bonds and bond anticipation notes for the purpose of acquiring various equipment for the City's Technology, Finance, Fire, Motor Maintenance, Police and Recreation Departments (the "Equipment"):

1. That the estimated life or period of usefulness of the Equipment is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least ten (10) years, since by my estimate if and to the extent a portion of the proceeds of the bonds may be determined to be allocated to a class or classes having a maximum maturity of less than ten (10) years but in excess of five (5) years, then the maximum maturity of the bonds would still be at least ten (10) years by virtue of the fact that a sufficient portion of the proceeds of the bonds are allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of ten (10) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is fifteen (15) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

Ordinance No.

By – Council President Holzheimer Gail (by request)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES OF THE CITY OF EUCLID, OHIO NOT TO EXCEED \$695,000 IN PRINCIPAL AMOUNT IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING VARIOUS EQUIPMENT FOR THE CITY'S TECHNOLOGY, FINANCE, FIRE, MOTOR MAINTENANCE, POLICE AND RECREATION DEPARTMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer, has certified to this Council that the estimated life of the improvements hereinafter mentioned is at least five (5) years and has further certified the maximum maturity of the bonds in anticipation of which the notes will be issued is at least ten (10) years and that the maximum maturity of notes issued in anticipation of the bonds is fifteen (15) years from the date of issuance of the original notes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Euclid, Cuyahoga County, Ohio that:

SECTION 1. It is necessary to issue bonds of the City of Euclid in a principal sum not to exceed \$695,000 for the purpose of acquiring various equipment for the City's Technology, Finance, Fire, Motor Maintenance, Police and Recreation Departments.

SECTION 2. The bonds shall be dated approximately June 1, 2013, shall bear interest at the now estimated rate of six per centum (6%) per annum, payable semi-annually until the principal sum is paid, and shall mature in ten (10) annual installments after their issuance. The first interest payment and the first principal payment on the bonds is estimated to be December 1, 2013.

SECTION 3. It is determined that notes (hereinafter referred to as the "Notes") in an aggregate principal amount not to exceed \$695,000 shall be issued in anticipation of the issuance of the bonds for the above-described purpose. The Notes shall be sold at private sale and shall bear interest at the rate fixed by the Director of Finance in his certificate awarding the Notes, provided that such rate shall not exceed five per centum (5%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate not exceeding the maximum interest rate of ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance of the Notes, as determined by the Director of Finance. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the original purchaser of the Notes requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon ten (10) days written notice to the Paying Agent for the Notes (as defined below). In addition, the Notes shall be issued in the numbers and denominations requested by the original purchaser, provided that the Notes shall be issued only in denominations of \$100,000 or integral multiples of \$1,000 in excess thereof. The Notes shall be payable as to both principal and interest at a bank or trust company designated by the Director of Finance (herein individually or collectively, the "Paying Agent"), without deduction for exchange, collection or service charge; and may be payable in Federal Reserve funds of the United States of America if requested by the purchaser of the Notes.

SECTION 4. The Notes shall be designated "Equipment Acquisition General Obligation Bond Anticipation Notes, Series 2012". Pursuant to Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Notes with other notes into a single consolidated issue of notes for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bond Anticipation Notes, Series 2012". Such notes shall contain a summary statement of purposes encompassing the purpose for which the Notes and any other notes are issued, shall be issued in the numbers and denominations requested by the original purchaser, subject to the provisions of Section 3 of this ordinance and shall be executed by the Mayor and the Director of Finance of the City, provided that one of such signatures may be a facsimile signature.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as he determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes "immobilized" in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Notes shall be sold by the Director of Finance and at private sale to Stifel, Nicolaus & Co., Inc. (the "Original Purchaser") at a purchase price not less than the par value thereof, at an interest rate not exceeding that specified in Section 3 of this Ordinance and which purchase price and interest rate the Director of Finance determines is in accordance with the best interests of the City; and the Director of Finance is hereby authorized and directed to obtain the assistance of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio and to deliver the Notes, when executed, to the original purchaser or purchasers thereof upon payment of the purchase price. The proceeds from the sale of the Notes shall be paid into the proper fund and, pursuant to the provisions of Section 133.15(B) of the Ohio Revised Code, are deemed appropriated for and shall be used for the purpose for which the Notes are being issued under the provisions of this Ordinance and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any premium received by the City and accrued interest shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law.

The City covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary so that the Notes will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Notes shall give an appropriate certificate of the City, for inclusion in the transcript of

proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Notes.

The City covenants that (a) it will take or cause to be taken such actions which may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

SECTION 6. The Notes are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code. The City hereby covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Notes are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Notes, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Notes (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Notes to cease to be “qualified tax-exempt obligations.”

SECTION 7. If requested by the Original Purchaser of the Notes, the Director of Finance is authorized to execute a continuing disclosure certificate (the “Disclosure Certificate”) setting forth the City’s undertaking to provide annual reports and notices of certain events dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the “Noteholders”) and to assist the Original Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). If a Disclosure Certificate is executed, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

SECTION 8. The Notes shall be full general obligations of the City and the full faith and credit of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is hereby pledged for such purpose.

SECTION 9. During the years that the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually at the rate not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. This tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. In addition, this tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of the revenues so available and appropriated.

SECTION 10. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, have been or will have been done and performed in regular and due form as

required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in the issuance of the Notes.

SECTION 11. The Clerk of Council is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 12. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Notes as provided in this Ordinance.

SECTION 13. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

SECTION 14. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the citizens of the City of Euclid and for the further reason that the immediate issuance and sale of the Notes is necessary to provide funds for the acquisition of various equipment for the improvements which are urgently needed to protect the health and safety of the citizens of the City, and provided it receives the two-thirds (2/3) vote of all members elected to Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$40,000 for the purpose of making various building improvements to the City's Shore Cultural Centre and Henn Mansion (the "Improvements"):

1. That the estimated life or period of usefulness of the Improvements is hereby certified to be at least five (5) years.

2. That the maximum maturity of such bonds calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code is twenty (20) years, provided that if notes in anticipation of those bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five years shall be deducted from the maximum maturity of those bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is twenty (20) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

Ordinance No.

By – Council President Holzheimer Gail (by request)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NON-TAX REVENUE NOTES OF THE CITY OF EUCLID, OHIO IN A PRINCIPAL AMOUNT NOT TO EXCEED \$40,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF MAKING VARIOUS BUILDING IMPROVEMENTS TO THE CITY'S SHORE CULTURAL CENTRE AND HENN MANSION, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer, has certified to this Council that the estimated life of the improvements hereinafter described is at least five (5) years and has further certified the maximum maturity of the bonds in anticipation of which the notes will be issued is fifteen (15) years and that the maximum maturity of notes issued in anticipation of the bonds is twenty (20) years from the date of issuance of the original notes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Euclid, Cuyahoga County, Ohio that:

SECTION 1. It is necessary to issue non-tax revenue bonds of the City of Euclid in a principal amount not to exceed \$40,000 for the purpose of making various building improvements to the City's Shore Cultural Centre and Henn Mansion.

SECTION 2. The bonds shall be dated approximately June 1, 2013, shall bear interest at the now estimated rate of six per centum (6%) per annum, payable semi-annually, until the principal sum is paid, and shall mature as certified by the Director of Finance. The first interest payment and the first principal payment on the bonds is estimated to be December 1, 2013.

SECTION 3. It is determined that taxable non-tax revenue notes (hereinafter referred to as the "Notes") in a principal amount not to exceed \$40,000.00 shall be issued in anticipation of the issuance of the bonds for the above-described purpose. The Notes shall be awarded by the Director of Finance in his certificate awarding the Notes and shall establish the terms set out in this Ordinance, provided that such rate shall not exceed five per centum (5%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate not exceeding the maximum interest rate of ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance of the Notes, as determined by the Director of Finance.

The Notes shall be subject to prepayment without penalty or premium at the option of the City at any time prior to maturity as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent (as hereinafter defined) of the principal amount of the Notes, together with interest accrued thereon to the date of prepayment. The City's right of prepayment shall be exercised by delivering a notice of prepayment stating the date of prepayment and the name and address of the Paying Agent hereinafter designated, to the Original Purchaser not less than seven (7) days prior to the date of that deposit, unless that notice is waived by the Original Purchaser. If money for prepayment is on deposit with the Paying Agent on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the Director of Finance of the City, the Original Purchaser shall arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment and surrender and cancellation.

SECTION 4. If the Notes are purchased by the Director of Finance, the Director of Finance of the City is hereby designated as the paying agent for the Notes (the "Paying Agent"). If the Notes are not purchased by the Director of Finance, he shall designate the Paying Agent in his

Certificate of Award. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America at the office of the Paying Agent.

SECTION 5. The Notes shall be designated “Shore Cultural Centre-Henn Mansion Improvement Non-Tax Revenue Bond Anticipation Notes, Series 2012.” The Notes shall be signed by the Mayor and by the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser (as defined in Section 6) and approved by the Director of Finance, provided that the Notes shall be issued only in denominations of integral multiples of \$5,000. The entire principal amount may be represented by a single Note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any security depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION 6. The Notes are hereby offered at not less than par plus any accrued interest or premium to the Director of Finance of the City, as the officer in charge of the Bond Retirement Fund of the City, and in accordance with the best interests of the City (the “Original Purchaser”), in accordance with law and the provisions of this Ordinance. Any Notes not purchased

by the Director of Finance shall be sold at not less than the par value thereof at private sale by the Director of Finance in accordance with law and the provisions of this Ordinance. If the Notes are sold to the Director of Finance, the Director of Finance shall sign a fair market rate and acceptance certificate, evidencing that the interest rate to be borne by the Notes and that such rate is a fair market rate. With respect to any Notes not sold to the Director of Finance, the Director of Finance shall sign the Certificate of Award referred to in Section 3 hereof, evidencing that sale to the Original Purchaser at a purchase price and bearing interest at a rate determined by the Director of Finance to be in the best interest of the City. The Director of Finance shall cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Director of Finance is hereby authorized and directed to obtain the assistance of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio. The Mayor, Director of Finance, the Law Director, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION 7. If the Notes are not purchased by the Director of Finance, the Fiscal Officer is authorized to execute a continuing disclosure certificate (the "Disclosure Certificate") setting forth the City's undertaking to provide annual reports and notices of certain events dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the "Noteholders") and to assist the Original Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). If a Disclosure Certificate is executed, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

SECTION 8. The Notes are payable solely from non-tax revenues of the City, subject to the annual appropriation by City Council of such revenues. Accordingly, the Notes are not general obligations of the City, and the full faith and credit of the City are not pledged for the prompt payment of the same. As used in this Ordinance, the term "non-tax revenues" means City funds that are not derived from municipal or state income tax, the levy of ad valorem property tax, or otherwise from funds, the levy and collection of which are subject to Article XII Section 2 of the Ohio Constitution. The par value to be received from the sale of the Notes or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION 9. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, have been or will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in the issuance of the Notes.

SECTION 10. The Clerk of Council is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 11. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance and sale of the Notes as provided in this Ordinance.

SECTION 12. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

SECTION 13. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the citizens of the City of Euclid and for the further reason that the immediate issuance and sale of the Notes is necessary to provide funds to construct the improvements which are urgently needed to create and expand employment and other economic opportunities for the citizens of the City, and provided it receives the two-thirds (2/3) vote of all members elected to Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$380,000 for the purpose of acquiring motorized vehicular equipment and appurtenances thereto for the Mayor's Office, Parks, Police and Engineering Departments (the "Equipment"):

1. That the estimated life or period of usefulness of the Equipment is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least five (5) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is ten (10) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

Ordinance No.

By – Council President Holzheimer Gail (by request)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES OF THE CITY OF EUCLID, OHIO IN A PRINCIPAL AMOUNT NOT TO EXCEED \$380,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING MOTORIZED VEHICULAR EQUIPMENT AND APPURTENANCES THERETO FOR THE MAYOR'S OFFICE, PARKS, POLICE AND ENGINEERING DEPARTMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer, has certified to this Council that the estimated life of the improvements hereinafter mentioned is at least five (5) years and has further certified the maximum maturity of the bonds in anticipation of which the notes will be issued is at least five (5) years and that the maximum maturity of notes issued in anticipation of the bonds is ten (10) years from the date of issuance of the original notes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Euclid, Cuyahoga County, Ohio that:

SECTION 1. It is necessary to issue bonds of the City of Euclid in a principal amount not to exceed \$380,000 for the purpose of acquiring motorized vehicular equipment and appurtenances thereto for the Mayor's Office, Parks, Police and Engineering Departments.

SECTION 2. The bonds shall be dated approximately June 1, 2013, shall bear interest at the now estimated rate of six per centum (6%) per annum, payable semi-annually until the principal sum is paid, and shall mature in five (5) annual installments after their issuance. The first interest payment and the first principal payment on the bonds is estimated to be December 1, 2013.

SECTION 3. It is determined that notes (hereinafter referred to as the "Notes") in a principal amount not to exceed \$380,000 shall be issued in anticipation of the issuance of the bonds for the above-described purpose. The Notes shall be sold at private sale and shall bear interest at the rate fixed by the Director of Finance in his certificate awarding the Notes, provided that such rate shall not exceed five per centum (5%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate not exceeding the maximum interest rate of ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance of the Notes, as determined by the Director of Finance. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the original purchaser of the Notes requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon ten (10) days written notice to the Paying Agent for the Notes (as defined below). In addition, the Notes shall be issued in the numbers and denominations requested by the original purchaser, provided that the Notes shall be issued only in denominations of \$100,000 or integral multiples of \$1,000 in excess thereof. The Notes shall be payable as to both principal and interest at a bank or trust company designated by the Director of Finance (herein individually or collectively, the "Paying Agent"), without deduction for exchange, collection or service charge; and may be payable in Federal Reserve funds of the United States of America if requested by the purchaser of the Notes.

SECTION 4. The Notes shall be designated "Motorized Equipment Improvement General Obligation Bond Anticipation Notes, Series 2012". Pursuant to Section 133.30(B) of the

Ohio Revised Code, the Director of Finance may combine the Notes with other notes into a single consolidated issue of notes for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bond Anticipation Notes, Series 2012". Such notes shall contain a summary statement of purposes encompassing the purpose for which the Notes and any other notes are issued, shall be issued in the numbers and denominations requested by the original purchaser, subject to the provisions of Section 3 of this ordinance and shall be executed by the Mayor and the Director of Finance of the City, provided that one of such signatures may be a facsimile signature.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as he determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes "immobilized" in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Notes shall be sold by the Director of Finance and at private sale to Stifel, Nicolaus & Co., Inc. (the "Original Purchaser") at a purchase price not less than the par value thereof, at an interest rate not exceeding that specified in Section 3 of this Ordinance and which purchase price and interest rate the Director of Finance determines is in accordance with the best interests of the City; and the Director of Finance is hereby authorized

and directed to obtain the assistance of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio and to deliver the Notes, when executed, to the original purchaser or purchasers thereof upon payment of the purchase price. The proceeds from the sale of the Notes shall be paid into the proper fund and, pursuant to the provisions of Section 133.15(B) of the Ohio Revised Code, are deemed appropriated for and shall be used for the purpose for which the Notes are being issued under the provisions of this Ordinance and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any premium received by the City and accrued interest shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law.

The City covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary so that the Notes will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Notes shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Notes.

The City covenants that (a) it will take or cause to be taken such actions which may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

SECTION 6. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City hereby covenants that the City, having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Notes are issued, (i) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Notes, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Notes (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Notes to cease to be "qualified tax-exempt obligations."

SECTION 7. If requested by the Original Purchaser of the Notes, the Director of Finance is authorized to execute a continuing disclosure certificate (the "Disclosure Certificate") setting forth the City's undertaking to provide annual reports and notices of certain events dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the "Noteholders") and to assist the Original Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). If a Disclosure Certificate is executed, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

SECTION 8. The Notes shall be full general obligations of the City and the full faith and credit of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by the Notes and any excess funds

resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is hereby pledged for such purpose.

SECTION 9. During the years that the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually at the rate not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. This tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. In addition, this tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of the revenues so available and appropriated.

SECTION 10. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, have been or will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in the issuance of the Notes.

SECTION 11. The Clerk of Council is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 12. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Notes as provided in this Ordinance.

SECTION 13. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

SECTION 14. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the citizens of the City of Euclid and for the further reason that the immediate issuance and sale of the Notes is necessary to enable the City to provide for improvements which are urgently needed to reduce hazards to pedestrians and vehicular traffic, and provided it receives the two-thirds (2/3) vote of all members elected to Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

FISCAL OFFICER'S CERTIFICATE

City of Euclid, Ohio
May 21, 2012

TO THE COUNCIL OF THE CITY OF EUCLID, OHIO

The undersigned, as fiscal officer of the City of Euclid, Ohio, as defined by Section 133.01 of the Ohio Revised Code, hereby certifies as follows in connection with your proposed issue of bonds and bond anticipation notes in an amount not to exceed \$775,000 for the purpose of reconstructing, resurfacing and otherwise improving City streets, making certain repairs to sewer facilities in connection with street improvements and installing curbs as necessary, together with the necessary appurtenances thereto (the "Improvements"):

1. That the estimated life or period of usefulness of the Improvements is hereby certified to be at least five (5) years.

2. That the maximum maturity of the bonds in anticipation of which the notes are issued, calculated in accordance with the provisions of Section 133.20 of the Ohio Revised Code, is at least twenty (20) years, since by my estimate if and to the extent a portion of the proceeds of the bonds may be determined to be allocated to a class or classes having a maximum maturity of less than twenty (20) years but in excess of five (5) years, then the maximum maturity of the bonds would still be at least twenty (20) years by virtue of the fact that a sufficient portion of the proceeds of the bonds are allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of twenty (20) years, provided that if notes in anticipation of the bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of the bonds.

3. That the maximum maturity of notes issued in anticipation of the bonds is twenty (20) years from the date of the notes originally issued for such purpose.

Director of Finance
City of Euclid, Ohio

Ordinance No.

By – Council President Holzheimer Gail (by request)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES OF THE CITY OF EUCLID, OHIO IN A PRINCIPAL AMOUNT NOT TO EXCEED \$775,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING CITY STREETS, MAKING CERTAIN REPAIRS TO SEWER FACILITIES IN CONNECTION WITH STREET IMPROVEMENTS AND INSTALLING CURBS AS NECESSARY, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer, has certified to this Council that the estimated life of the improvements hereinafter described is at least five (5) years and has further certified the maximum maturity of the bonds in anticipation of which the notes will be issued is twenty (20) years and that the maximum maturity of notes issued in anticipation of the bonds is twenty (20) years from the date of issuance of the original notes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Euclid, Cuyahoga County, Ohio that:

SECTION 1. It is necessary to issue bonds of the City of Euclid in a principal amount not to exceed \$775,000 for the purpose of reconstructing, resurfacing and otherwise improving City streets, making certain repairs to sewer facilities in connection with street improvements and installing curbs as necessary, together with the necessary appurtenances thereto.

SECTION 2. The bonds shall be dated approximately June 1, 2013, shall bear interest at the now estimated rate of six per centum (6%) per annum, payable semi-annually, until the principal sum is paid, and shall mature as certified by the Director of Finance. The first interest payment and the first principal payment on the bonds is estimated to be December 1, 2013.

SECTION 3. It is determined that notes (hereinafter referred to as the “Notes”) in a principal amount not to exceed \$775,000 shall be issued in anticipation of the issuance of the bonds for the above-described purpose. The Notes shall be sold at private sale and shall bear interest at the rate fixed by the Director of Finance in his certificate awarding the Notes, provided that such rate shall not exceed five per centum (5%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate not exceeding the maximum interest rate of ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance of the Notes, as determined by the Director of Finance. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the original purchaser of the Notes requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon ten (10) days written notice to the Paying Agent for the Notes (as defined below). In addition, the Notes shall be issued in the numbers and denominations requested by the original purchaser, provided that the Notes shall be issued only in denominations of \$100,000 or integral multiples of \$1,000 in excess thereof. The Notes shall be payable as to both principal and interest at a bank or trust company designated by the Director of Finance (herein individually or collectively, the “Paying Agent”), without deduction for exchange, collection or service charge; and may be payable in Federal Reserve funds of the United States of America if requested by the purchaser of the Notes.

SECTION 4. The Notes shall be designated “Street Improvement General Obligation Bond Anticipation Notes, Series 2012”. Pursuant to Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Notes with other notes into a single consolidated issue of notes

for purposes of their sale as a single issue, to be designated "Various Purpose General Obligation Bond Anticipation Notes, Series 2012". Such notes shall contain a summary statement of purposes encompassing the purpose for which the Notes and any other notes are issued, shall be issued in the numbers and denominations requested by the original purchaser, subject to the provisions of Section 3 of this ordinance and shall be executed by the Mayor and the Director of Finance of the City, provided that one of such signatures may be a facsimile signature.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as he determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes "immobilized" in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

SECTION 5. The Notes shall be sold by the Director of Finance and at private sale to Stifel, Nicolaus & Co., Inc. (the "Original Purchaser") at a purchase price not less than the par value thereof, at an interest rate not exceeding that specified in Section 3 of this Ordinance and which purchase price and interest rate the Director of Finance determines is in accordance with the best interests of the City; and the Director of Finance is hereby authorized and directed to obtain the assistance of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio and to deliver the Notes, when executed, to the original purchaser or purchasers thereof upon payment of the purchase price. The proceeds from the sale of the Notes shall be paid into the proper fund and, pursuant to the provisions of Section 133.15(B) Ohio Revised Code, are deemed appropriated for and shall be used for the purpose for which the Notes are being issued under the provisions of this Ordinance and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any premium received

by the City and accrued interest shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law.

The City covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary so that the Notes will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Notes shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Notes.

The City covenants that (a) it will take or cause to be taken such actions which may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

SECTION 6. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City hereby covenants that the City, having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Notes are issued, (i) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Notes, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Notes (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Notes to cease to be "qualified tax-exempt obligations."

SECTION 7. If requested by the Original Purchaser of the Notes, the Director of Finance is authorized to execute a continuing disclosure certificate (the "Disclosure Certificate") setting forth the City's undertaking to provide annual reports and notices of certain events dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the "Noteholders") and to assist the Original Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5). If a Disclosure Certificate is executed, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

SECTION 8. The Notes shall be full general obligations of the City and the full faith and credit of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is hereby pledged for such purpose.

SECTION 9. During the years that the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually at the rate not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. This tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. In addition, this tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and

as the same fall due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of the revenues so available and appropriated.

SECTION 10. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, have been or will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will be exceeded in the issuance of the Notes.

SECTION 11. The Clerk of Council is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

SECTION 12. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Notes as provided in this Ordinance.

SECTION 13. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

SECTION 14. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the citizens of the City of Euclid and for the further reason that the immediate issuance and sale of the Notes is necessary to enable the City to make the improvements to various streets in the City, which are urgently needed to reduce hazards to pedestrians and vehicular traffic, and provided it receives the two-thirds (2/3) vote of all members elected to Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed: _____, 2012

Approved:

Mayor

Resolution No.

By – Mayor Cervenik

A resolution authorizing the Mayor of the City of Euclid to execute an extension Agreement by and between the City of Euclid and the International Association of Fire Fighters, Local 377, as exclusive bargaining agent for all Fire Fighters.

WHEREAS, pursuant to Ohio Revised Code Chapter 4117, negotiations were held between the City of Euclid and the International Association of Fire Fighters, Local 377, to determine equitable compensation, benefits, working hours and other employment matters for the Correction Officers; and

WHEREAS, available with the Director of Law is a summary of the proposed agreement to be in effect January 1, 2012 through December 31, 2014 unless negotiations are reopened prior to that date pursuant to the terms of the Agreement ; and

WHEREAS, the terms and conditions of the Agreement ratified by a majority of the members of the collective bargaining unit.

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

Section 1: That the Mayor of the City of Euclid be, and he is hereby authorized, empowered and directed to execute an extension agreement by and between the City of Euclid and the International Association of Fire Fighters, Local 377, as exclusive bargaining agent for all Fire Fighters. Proposal of said agreement is available with the Director of Law. The terms of said Agreement are hereby approved.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution 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 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor