

AGENDA
EUCLID CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 4, 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: Special Council Minutes August 8, 2012

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Monthly Finance Report thru July 31, 2012
Executive & Finance Com. Min.: 8/27/12
Board of Control Min.: 07/30/12; 8/6/12; 8/13/12;
8/20/12

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

1. An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for the cutting of grass, weeds, trees and abating other nuisances such as garbage and debris as provided in Sections 529.03 and 1755.28 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilperson O'Hare by request of the Law Director) Ord.
(151-12)
2. An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for criminal nuisance abatement as provided in Chapter 529 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilperson O'Hare by request of the Law Director) Ord.
(152-12)
3. An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for demolition, including the costs of asbestos assessment, abatement and monitoring of properties as provided in Chapter 1753 of the Codified Ordinances of the City of Euclid. (Sponsored by Councilperson O'Hare by request of the Law Director) Ord.
(153-12)
4. An emergency ordinance authorizing the Mayor or his designee to enter into an Agreement for Conveyance and to accept the transfer of four (4) vacant parcels of land from the Cuyahoga County Land Reutilization Corporation and into the City of Euclid Land Reutilization Program. (Sponsored by Mayor Cervenik) Ord.
(148-12)
5. An emergency ordinance authorizing the Mayor or his designee to enter into a Memorandum of Understanding (MOU) with the Parma Public Housing Agency ("PPHA") which provides for a mutually beneficial relationship between the parties as it pertains to the Housing Choice Voucher Program administered by PPHA. (Sponsored by Councilperson O'Hare by request of Law Director) Ord.
(141-12)

6. A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Kendall Brown, 5812 Monica Lane, Garfield Heights, Ohio, for Permanent Parcel No. 646-16-024, to allow a U-5 (Commercial District) use in a U6 (Industrial and Manufacturing District). (Sponsored by Planning & Zoning Commission) Res. (154-12)
7. A resolution authorizing the Mayor of the City of Euclid or his designee to prepare and submit an application to participate in the 2013 Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) (Issue I), and to execute contracts as required. (Sponsored by Councilperson McLaughlin by request of Service Director) Res. (149-12)
8. An emergency ordinance authorizing the Director of Finance of the City of Euclid to make payment to KME Kovatch Corporation, for the emergency repair of Euclid Fire ladder truck 1321 in the amount of \$44,132.75, which is being offset by insurance proceeds in the amount of \$33, 977.75. (Sponsored by Mayor Cervenik) Ord. (129-12)
9. A resolution authorizing the approval and adoption of the Cuyahoga County Office of Emergency Management as Euclid's emergency management agency. (Sponsored by Mayor Cervenik) Res. (138-12)
10. A resolution to adopt the Multi-Hazards Mitigation Plan, 2011 Update for the City of Euclid as required by the Federal Government by 44 Code of Federal Regulations (CFR) Section 201.6, stating local adoption of a Multi-Hazards Mitigation Plan is mandatory. (Sponsored by Councilperson Jones by request of Fire Chief) Res. (156-12)
11. A Resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission. (Sponsored by Mayor Cervenik and Entire Council) Res. (150-12)
12. An emergency ordinance amending the Traffic Code of the Codified Ordinances of the City of Euclid to amend Section 335.09(e) "Display of License Plates; Registration; Obstructions" of Chapter 335 "Licensing; Accidents" to remove the provision in 335.09(e) that makes parking a vehicle with expired plates a misdemeanor of the fourth degree; to create Section 351.19 "Expired Vehicle Registration" of Chapter 351 "Parking Generally" that makes parking a vehicle with expired plates a minor misdemeanor enforceable by the issuance of a parking ticket; and to amend Section 351.18 "Waiver" to renumber the Section to 351.99. (Sponsored by Councilperson Jones by request of Mayor) Ord. (134-12)
13. An ordinance repealing Chapter 191, Golf Course Commission, of the Administrative Code of the Euclid Codified Ordinances. (Sponsored by Mayor Cervenik) Ord. (135-12)
14. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract(s), after advertising for bids, for the City's requirements of Asphalt (Hot Mix/Cold Mix) for the years 2013 & 2014. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (145-12)
15. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract(s), after advertising for bids, for the City's requirements of uniforms for the years 2013, 2014 & 2015. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (146-12)
16. An emergency ordinance authorizing the Director of Public Service of the City of Euclid to renew the Service Agreement between the City of Euclid and Johnson Controls, Inc. for maintenance of chillers at the C.E. Orr Ice Arena for a period of one year commencing on August 1, 2012. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (147-12)

17. A resolution confirming Council's approval of Ordinance No. 120-2012, authorizing the Mayor of the City of Euclid to enter into a purchase agreement to acquire property from 36097 Westminister Road, LLC, located at 22305 Lakeshore Boulevard, Euclid, Ohio, Permanent Parcel No. 642-10-047, at a cost of Nine Hundred Thousand Dollars (\$900,000). (Sponsored by Councilperson Scarniench) Res. (155-12)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Ordinance No.
By – Councilperson O’Hare (by request)

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for the cutting of grass, weeds, trees and abating other nuisances such as garbage and debris as provided in Sections 529.03 and 1755.28 of the Codified Ordinances of the City of Euclid.

WHEREAS, Section 529.03 of the Codified Ordinances of the City of Euclid authorizes the Housing Manager or certified Building Official, to abate nuisances involving sidewalks, weeds, tall grass, landscaping, unsecured vacant property, or abandoned unusable property or other debris where the property owner fails to do so upon notification, and levy an assessment against the property for the cost to the City if the property owner fails to pay the City; and

WHEREAS, Section 1755.28 of the Codified Ordinances of the City of Euclid authorizes the Director of Community Services and Economic Development to cut grass and weeds that extend or stand more than six inches above grade where the property owner fails to do so, and upon notification, levy an assessment against the property for the cost to the City if the property owner fails to pay the City; and

WHEREAS, under all of the above ordinance sections, the City did give notice to various property owners setting forth the nature of the nuisance, the estimate of the cost of abating the nuisance if done by the City, a reasonable time determined by the Housing Manager or certified Building Official within which the owner shall abate the nuisance or pay the estimated cost to the City, and the statement that unless the nuisance is abated within the stated time it may be abated by the City and the cost of abatement assessed on the real estate involved; and

WHEREAS, said property owners failed to abate the nuisances on their respective property and failed to compensate City for its nuisance abatement, and as such, the properties shall be assessed on the tax duplicate for the city’s cost of abatement of the nuisance; 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, and to meet the deadline of Cuyahoga County Fiscal Office.

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

Section 1: That the assessment of the cost and expense of cutting grass, weeds, trees and abating other nuisances such as garbage and debris under Sections 529.03 and 1755.28 of the Codified Ordinances of the City of Euclid, be as follows:

See list of 668 parcels for a total of \$295,207.00 on file with Clerk of Council

As found by this Council, notice of the intended filing of assessments has been given as required by Sections 529.03 and 1755.28, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

Section 2: That the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Fiscal Office of Cuyahoga County, Ohio, who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

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.

Councilperson O'Hare (by request)

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for criminal nuisance abatement as provided in Chapter 529 of the Codified Ordinances of the City of Euclid.

WHEREAS, Section 529.07 of the Codified Ordinances of the City of Euclid provides that certain activities occurring in the City of Euclid on any residential or commercial property, and engaged in by an owner, occupant, or invitee of the owner, occupant or person in charge of any commercial or residential property, are public nuisances; and,

WHEREAS, The Housing Manager or certified Building Official, upon finding that two or more nuisance activities, or one felony drug activity have occurred within any twelve month period, caused written notice to be served on the owner of the property declaring that such property is a nuisance property; and,

WHEREAS, The City did give notice to the property owner that if additional nuisance activity occurs, the City may abate the nuisance by responding to the activity using administrative and law enforcement actions, and the costs of such abatement, \$200 per instance, shall be assessed on the nuisance property; 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, and to meet the deadline of Cuyahoga County Fiscal Office.

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

Section 1: That the assessment of the cost and expense of nuisance abatement under Chapter 529 of the Codified Ordinances of the City of Euclid, be as follows:

<u>Address</u>	<u>Permanent Parcel No.</u>	<u>Amount</u>
19070 Monterey	641-14-087	\$200
110 E. 211 th Street	642-04-117	\$200
265 E. 262 nd Street	645-20-062	\$200
1810 Pinehurst	649-11-023	\$400
1771 E. 228 th Street	650-04-017	\$400

As found by this Council, notice of the intended filing of assessments has been given as required by Chapter 529, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

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 the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Cuyahoga County Fiscal Office who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to 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 Councilperson O'Hare (by request)

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for demolition, including the costs of asbestos assessment, abatement and monitoring of properties as provided in Chapter 1753 of the Codified Ordinances of the City of Euclid.

WHEREAS, Chapter 1753 of the Codified Ordinances of the City of Euclid requires the owner of a property to incur the costs of demolition of a structure; and,

WHEREAS, Section 1753.08 of the Codified Ordinances of the City of Euclid authorizes the Commissioner or Buildings and/or Housing Manger to certify to the Cuyahoga County Fiscal Office the cost of demolition if the expenses and cost of demolition are not paid by the owner of the premises; and,

WHEREAS, The City did give notice to various property owners setting forth the nature of the nuisance of their property, the City's intent to condemn and/or demolish the property, appeal rights, a reasonable time determined by the Housing Manager or certified Building Official within which the owner shall rehabilitate or demolish the premises, and the statement that unless the nuisance is abated within the stated time it may be abated by the City and the cost of demolition assessed on the real estate involved; and,

WHEREAS, As said property owners failed to abate the nuisances on their respective properties and failed to compensate the City for the costs incurred in the demolition of their structures, the properties shall be assessed on the tax duplicate for the city's cost of demolition, asbestos assessment, abatement and monitoring; 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, and to meet the deadline of Cuyahoga County Fiscal Office.

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

Section 1: That the assessment of the cost and expense of demolition, asbestos assessment, abatement and monitoring, under Chapter 1753 of the Codified Ordinances of the City of Euclid, be as follows:

See attached list of 10 parcels for a total of \$78,575.00

As found by this Council, notice of the intended filing of assessments has been given as required by Chapter 1753, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

Section 2. That the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Cuyahoga County Fiscal Office who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

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

Passed:

President of Council

Approved:

Mayor

SPECIAL ASSESSMENT
CERTIFICATION LIST

TO THE CUYAHOGA COUNTY FISCAL OFFICER

THE FOLLOWING LIST OF SPECIAL ASSESSMENT CHARGES HAS BEEN CONFIRMED BY THE COUNCIL OF THE CITY OF EUCLID, OHIO AND IS HEREBY CERTIFIED FOR COLLECTION IN ONE (1) ANNUAL INSTALLMENT TO BE COLLECTED IN THE TAX YEAR 2012 to 2012.

DATE: _____

(Signature of Fiscal Officer)

Title

Permanent Parcel Number	Address House No.	Address Street Name	Assessment Amount (in dollars)	Annual Installments
642-12-008	340	E. 222 nd Street	\$9,400	1 annual installment
642-19-042	21050	South Lakeshore	\$9,400	1 annual installment
Book 642				
Total 2 parcels			\$18,800	
643-31-013	23921	Hartland	\$9,275	1 annual installment
Book 643				
Total 1 parcel			\$9,275	
644-29-066	23316	Williams	\$7,750	1 annual installment
Book 644				
Total 1 parcel			\$7,750	
645-18-032	360	E. 266 th Street	\$8,400	1 annual installment
645-30-076	641	E. 266 th Street	\$8,050	1 annual installment
Book 645				
Total 2 parcels			\$16,450	
646-34-032	1390	E. 221 st Street	\$7,550	1 annual installment
Book 646				
Total 1 parcel			\$7,550	

Permanent Parcel Number	Address House No.	Address Street Name	Assessment Amount (in dollars)	Annual Installments
648-21-001	1455	Babbitt	\$5,050	1 annual installment
648-21-002	1457	Babbitt	\$5,050	1 annual installment
Book 648				
Total 2 parcels			\$10,100	
650-36-015	24631	Hawthorne	\$8,650	1 annual installment
Book 650				
Total 1 parcel			\$8,650	
TOTAL				
10 PARCELS			\$78,575	

Ordinance No.
By – Mayor Cervenik

An emergency ordinance authorizing the Mayor or his designee to enter into an Agreement for Conveyance and to accept the transfer of four (4) vacant parcels of land from the Cuyahoga County Land Reutilization Corporation and into the City of Euclid Land Reutilization Program.

WHEREAS, the Cuyahoga County Land Reutilization Corporation (hereinafter "Cuyahoga County Land Bank") was formed to help return vacant and abandoned properties in Cuyahoga County, Ohio, to productive use with the additional goals of revitalization of neighborhoods, promotion of economic growth, and creation of job and workforce development opportunities; and,

WHEREAS, the Cuyahoga County Land Bank is authorized to accelerate the acquisition and rehabilitation or demolition of abandoned nuisance properties in an effort to increase public safety and to improve appearance and property values in neighborhoods; and,

WHEREAS, the City of Euclid entered into a Memorandum of Understanding (hereinafter "MOU") with the Cuyahoga County Land Bank. The MOU establishes protocols for the maintenance, demolition, rehabilitation and disposition of Cuyahoga County Land Bank properties within the City of Euclid; and

WHEREAS, the MOU also establishes the right of first acquisition by the City for any property under consideration for acquisition by the Cuyahoga County Land Bank; however, the MOU is silent regarding the transfer of properties or vacant lots from the Cuyahoga County Land Bank to the City of Euclid Land Reutilization Program; and

WHEREAS, according to the attached draft Agreement for Conveyance, the Cuyahoga County Land Reutilization Corporation will transfer to City of Euclid Land Reutilization Program for (4) vacant lots for \$1.00 each.

WHEREAS, it is in the best interests of the City of Euclid to accept these vacant lots from the Cuyahoga County Land Bank and return these lots to productive use or dispose of these lots through the Euclid Land Bank protocols previously established; 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 and to allow for the transfer of these parcels from the Cuyahoga County Land Bank to the Euclid Land Bank in an expeditious manner.

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

Section 1: That the Mayor or his designee is authorized to enter into an Agreement for Conveyance and to accept the transfer of four (4) vacant parcels of land listed below from the Cuyahoga County Land Reutilization Corporation and into the City of Euclid Land Reutilization Program:

641-11-092	19481 Pasnow Avenue
643-16-033	921 East 236 th Street
646-22-050	1524 East 196 th Street
647-37-042	22420 Coulter Avenue

Section 2: That the Mayor or his designee is authorized to take all steps necessary and execute all other documents necessary to accomplish the transfer. The Agreement for Conveyance shall be substantially in the form attached and on file with the Clerk of Council and together with such other documents necessary to the transaction shall be as approved by the Director of Law.

Section 3: That the funds to pay for the properties will be derived from the Endowment Fund.

Section 4: That the Clerk of Council is hereby authorized and directed to cause a copy of this ordinance to be served upon Gus Frangos, President of the Cuyahoga County Land Reutilization Corporation, Suite 160, 323 Lakeside Avenue, Cleveland, Ohio 44113.

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 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 6: 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 – O'Hare (by request)

An emergency ordinance authorizing the Mayor or his designee to enter into a Memorandum of Understanding (MOU) with the Parma Public Housing Agency ("PPHA") which provides for a mutually beneficial relationship between the parties as it pertains to the Housing Choice Voucher Program administered by PPHA.

WHEREAS, the PPHA is an agency that administers a rent-subsidy program for the purpose of providing safe, decent, affordable housing options for low income residents in Cuyahoga County; and,

WHEREAS, the PPHA is similar to the Cuyahoga Metropolitan Housing Authority (CMHA) and administers the same federally-subsidized program as CMHA called the Housing Choice Voucher Program (formerly Section 8); and,

WHEREAS, the City of Euclid and 16 other communities in Cuyahoga County are already participating communities in the MOU with CMHA that was executed in 2006 and these same communities approached PPHA through the First Suburbs Consortium to enter into a MOU following the same policies and procedures as CMHA; and,

WHEREAS, the MOU with PPHA establishes policies and procedures with respect to registration of rental properties, inspections of rental units, landlord and tenant education, and criminal or nuisance activity, and provides for the respective responsibilities of both the City of Euclid and PPHA; and

WHEREAS, it is in the best interests of the City of Euclid to enter into a Memorandum of Understanding with the PPHA to provide for a mutually beneficial relationship between the City of Euclid and PPHA to ensure that the homes rented under the Housing Choice Voucher Program meet the standards of the City of Euclid and that landlords and tenants are complying with the local and state ordinances and fair housing guidelines; 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 and to allow the City of Euclid to execute the MOU by October 1, 2012 as requested of all participating communities by the First Suburbs Consortium.

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

Section 1: That the Mayor or his designee is authorized to enter into a Memorandum of Understanding (MOU) with the Parma Public Housing Agency ("PPHA") which provides for a mutually beneficial relationship between the parties as it pertains to the Housing Choice Voucher Program administered by PPHA which may be from time to time amended by agreement of the parties, a copy of which is on file with the Clerk of Council and as approved by the Director of Law.

Section 2: That the Clerk of Council is hereby authorized and directed to cause a copy of this ordinance to be served upon Lev Kulchytsky, Executive Director, Parma Public Housing Agency, 1440 Rockside Rd # 306, Parma, OH 44134.

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 the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By – Planning & Zoning Commission

A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Kendall Brown, 5812 Monica Lane, Garfield Heights, Ohio, for Permanent Parcel No. 646-16-024, to allow a U-5 (Commercial District) use in a U6 (Industrial and Manufacturing District).

WHEREAS, at its meeting on August 14, 2012, the Planning and Zoning Commission approved a Use District Exception to allow a U-5 (Commercial District) use in a U6 (Industrial and Manufacturing District) at 1062 East 222 Street, Euclid, Ohio, Permanent Parcel No. 646-16-024; Subject to a condition that there be no outdoor car washing activity; and

WHEREAS, Chapter 1375 of the Euclid Codified Ordinances provides that whenever the Planning and Zoning Commission approves a Use District Exception that decision must be confirmed by a Council resolution before it becomes effective; and

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

Section 1: That a Use District Exception is hereby granted, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Kendall Brown, 5812 Monica Lane, Garfield Heights, Ohio, for Permanent Parcel No. 646-16-024, to allow a U-5 (Commercial District) use in a U6 (Industrial and Manufacturing District). On condition that there be no outdoor car washing activity on the property.

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

Resolution No.

By – Councilperson McLaughlin (by request)

A resolution authorizing the Mayor of the City of Euclid or his designee to prepare and submit an application to participate in the 2013 Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) (Issue I), and to execute contracts as required.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Euclid is planning to make capital improvements to:

1. Waste Water Treatment Plant and Wet Weather Auxiliary Treatment Facility MBR Upgrade
2. Waste Water Treatment Plant and Wet Weather Auxiliary Treatment Facility Headworks Project
3. Brandywine Pump Station SSO Elimination

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

Section 1: That the Mayor or his designee is hereby authorized to apply to the Ohio Public Works Commission for financial assistance for the 2013 project year for Waste Water Treatment Plant and Wet Weather Auxiliary Treatment Facility MBR Upgrade, Waste Water Treatment Plant and Wet Weather Auxiliary Treatment Facility Headworks Project, and Brandywine Pump Station SSO Elimination.

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

Ordinance No.

By – Mayor Cervenik

An emergency ordinance authorizing the Director of Finance of the City of Euclid to make payment to KME Kovatch Corporation, for the emergency repair of Euclid Fire ladder truck 1321 in the amount of \$44,132.75, which is being offset by insurance proceeds in the amount of \$33, 977.75.

WHEREAS, on May 6, 2012, during a training exercise, the ladder on truck was 1321 was lowered without stowing the spray nozzle and resulted to significant damage to the cab; and

WHEREAS, Truck 1321 serves as the front line aerial truck and provides the Fire Department with the longest ladder reach making its immediate repair necessary; and

WHEREAS, the vehicle was returned to the manufacturer, KME Kovatch, in Nesquehoning, Pennsylvania, for repair estimates to include retesting of the ladder and fire suppression equipment, and

WHEREAS, the City's property insurance covered the expense other than the deductible amount of \$10,000.00; and

WHEREAS, the insurance proceeds have been received from Affiliated FM Insurance and deposited into the General Fund.

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 process payment to KME Kovatch Corporation in the amount of \$44,132.75.

Section 2: Funds to pay for this expenditure shall come from the General Fund, Revolving Fund, and Self Insurance Fund.

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

Resolution No.

By- Mayor Cervenik

A resolution authorizing the approval and adoption of the Cuyahoga County Office of Emergency Management as Euclid's emergency management agency.

WHEREAS, Ohio Revised Code Section 5502.271 specifies that each political subdivision shall establish a program for emergency management if the political subdivision has not entered into a written agreement establishing either a countywide emergency management agency under ORC Section 5502.26 or a regional authority for emergency management under ORC Section 5502.27; and

WHEREAS, Cuyahoga County has created the Office of Emergency Management under the Department of Public Safety and Justice Services, for the efficient planning, mitigation, response, and recovery actions for all citizens of the County; and,

WHEREAS, the Office of Emergency Management will help in hosting training programs in public safety, participate in outreach events amongst the community, conduct damage assessments, and request state and federal funding on behalf of impacted communities, all while acting on its FEMA-approved Countywide All Natural Hazards Mitigation Plan; and

WHEREAS, through Resolution 74-2011, the City of Euclid formally adopted the Cuyahoga County Emergency Operations Plan and further approved the reciprocal emergency management aid and assistance; and

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management.

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

Section 1: That the City of Euclid does hereby adopt the Office of Emergency Management as the emergency management agency for the City of Euclid.

Section 2: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to Brandy R. Carney, Administrator, Cuyahoga County Emergency Management, 310 West Lakeside Avenue, Suite 795-A, Cleveland, Ohio 44113.

Section 3: 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 4: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.
By –Councilperson Jones (By Request of the Fire Chief)

A resolution to adopt the Multi-Hazards Mitigation Plan, 2011 Update for the City of Euclid as required by the Federal Government by 44 Code of Federal Regulations (CFR) Section 201.6, stating local adoption of a Multi-Hazards Mitigation Plan is mandatory.

WHEREAS, on March 21, 2005, by Resolution 38-2005, Council approved the Multi-Hazards Mitigation Plan for the City of Euclid and on February 20, 2007, adopted the revised plan by Resolution 26-2007; and

WHEREAS, the Disaster Mitigation Act of 2000 requires communities to review and revise the plan at least every five (5) years to reflect changes in development, progress in local mitigation efforts, and changes in priorities, in order to continue eligibility to apply for federal mitigation programs; and

WHEREAS, in collaboration with participating jurisdictions, the Cuyahoga County Government, through the Cuyahoga County Office of Emergency Management, developed and maintains such a mitigation plan which is entitled the "Countywide All Natural Hazards Mitigation Plan for Cuyahoga County"; and

WHEREAS, each jurisdiction requesting approval of the plan must document that the plan has been formally adopted; and

WHEREAS, the Council of the City of Euclid has reviewed the "Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, 2011."

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

Section 1: That the Council of the City of Euclid, Ohio does hereby adopt the updated Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, 2011 Update.

Section 2: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to the Department of Justice Affairs, 1255 Euclid Avenue, Room 102, Cleveland, Ohio 44115-1807, Ohio Relay Service 711.

Section 3: 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 4: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By – Mayor Cervenik and All Members of Council

A Resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission

WHEREAS, this Council, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2013, and thereon to the Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation; therefore be it

RESOLVED, by the Council of City of Euclid, Cuyahoga County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted, and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX
APPROVED
BY BUDGET COMMISSION AND COUNTY AUDITOR’S ESTIMATED TAX RATES

Est. Tax Valuation: 738,711,240		
	County Auditor’s Estimate of Tax Rate to be Levied	
	INSIDE 10	OUTSIDE
10 FUND LIMIT	MILL LIMIT	MILL
Bond Retirement General	3.88	6.72
Permanent Improvement Recreation		1.00
Recreation Capital		1.30
		.70
Sub Total	3.88	9.72
TOTAL		13.60

and be it further

RESOLVED, that the Clerk of Council be and he is hereby directed to certify a copy of this resolution to the County Fiscal Officer of said County.

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 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.

That this resolution shall go into immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Councilperson Jones (by request)

An emergency ordinance amending the Traffic Code of the Codified Ordinances of the City of Euclid to amend Section 335.09(e) "Display of License Plates; Registration; Obstructions" of Chapter 335 "Licensing; Accidents" to remove the provision in 335.09(e) that makes parking a vehicle with expired plates a misdemeanor of the fourth degree; to create Section 351.19 "Expired Vehicle Registration" of Chapter 351 "Parking Generally" that makes parking a vehicle with expired plates a minor misdemeanor enforceable by the issuance of a parking ticket; and to amend Section 351.18 "Waiver" to renumber the Section to 351.99.

WHEREAS, the Euclid Police Department has issued parking tickets to owners of vehicles who have parked their vehicles on public streets in the City of Euclid when the registration of said vehicles has expired; and,

WHEREAS, Euclid Codified Ordinance 335.09(e) provides that the parking of vehicles with expired plates should be treated as a misdemeanor of the fourth degree, not a minor misdemeanor as has been treated by the EPD; and,

WHEREAS, in the interests of justice and judicial economy, it is more appropriate to treat said parking matters as a minor misdemeanor through the issuance of a parking ticket; rather than through the issuance of a traffic citation; 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; and,

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

Section 1: That Section 335.09(e) "Display of License Plates; Registration; Obstructions" of Chapter 335 "Licensing; Accidents" of the Traffic Code of the Codified Ordinances of the City of Euclid is hereby amended to read as follows:

335.09 "Display of License Plates; Registration; Obstructions"

(e) No person shall ~~park or~~ operate any vehicle upon any public street or highway upon which are displayed any license plates for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.

Section 2: That Section 351.19 "Expired Vehicle Registration" of Chapter 351 "Parking Generally" of the Traffic Code of the Codified Ordinances of the City of Euclid is hereby enacted to read as follows:

351.19 "Expired Vehicle Registration"

No person shall park any vehicle upon any public street or highway upon which are displayed any license plates for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.

Section 3: That Section 351.18 "Waiver" of Chapter 351 "Parking Generally" of the Traffic Code of the Codified Ordinances of the City of Euclid is hereby amended to read as follows:

~~351.18~~ **351.99 "Waiver"**

Whoever violates any of the provisions of this chapter, except Section 351.04(e) or 351.16(b), may execute a waiver and pay the Police Department the sum of twenty-five dollars (\$25.00), if paid within ten days after the violation; otherwise the violator may execute a waiver and pay the Department the sum of fifty dollars (\$50.00), or, if such person is bound over to the Municipal Court and found guilty, he or she shall be punished as provided in Sections 307.01 and 307.02.

Whoever violates Section 351.04(e) or 351.13 or 351.16(b) may execute a waiver and pay the Police Department the sum of fifty dollars (\$50.00) if paid ten days after the violation; otherwise the violator may execute a waiver and pay the Department the sum of one hundred dollars (\$100.00), or, if such person is bound over to the Municipal Court and found guilty, he or she shall be punished as provided in Sections 307.01 and 307.02.

Except for violations of Section 351.04(e), only chronic or repeat offenders under this chapter may be bound over to the Municipal Court. A "chronic or repeat offender" is any person who has been cited at least three times during the previous 365 days (one year) for violations of this chapter.

Section 4: That Section 335.09(e) "Display of License Plates; Registration; Obstructions" of Chapter 335 "Licensing; Accidents" is hereby amended; that Section 351.19 "Expired Vehicle Registration" of Chapter 351 "Parking Generally" is hereby enacted and Section 351.18 "Waiver" of Chapter 351 "Parking Generally" is renumbered.

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 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 6: 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 – Mayor Cervenik

An ordinance repealing Chapter 191, Golf Course Commission, of the Administrative Code of the Euclid Codified Ordinances.

WHEREAS, the management of the Briardale Greens Municipal Golf Course has been successfully transferred to Billy Casper Golf; and

WHEREAS, the City Council Community Assets Committee receives regular reports from Billy Casper Golf and conducts periodic meetings reviewing course operations; and

WHEREAS, with the monthly reporting of Golf Course profits and loss and other financial reports to the Administration and pass through to Council, the need for a separate oversight committee is unnecessary; and

WHEREAS, member of the Golf Course Commission have served with distinction but find their responsibilities to be duplicated by current staff members.

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

Section 1: That Chapter 191 Golf Course Commission, of the Administrative Code of the Euclid Codified Ordinances is hereby repealed in its entirety and the current terms of members of the Golf Course Commission be abolished.

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 – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract(s), after advertising for bids, for the City’s requirements of Asphalt (Hot Mix/Cold Mix) for the years 2013 & 2014.

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

Section 1: That the Director of Public Service be, and he is hereby authorized, empowered and directed to advertise for bids and enter into a contract(s) for the City’s requirements of Asphalt (Hot Mix/Cold Mix) for the years 2013 & 2014 to be in accordance with specifications on file in the office of the Director of Public Service. Said contract shall be entered into after advertising for not less than two consecutive weeks in a newspaper of general circulation in the City of Euclid and awarded by the Board of Control to the lowest and best bidder. The specifications on file in the office of the Director of Public Service are hereby approved. The contract shall be in form approved by the Director of Law and shall be in conformance with such specifications. It shall be executed by the Director of Public Service. The Board of Control is hereby authorized to waive any minor or technical irregularities that may occur during the bid process.

Section 2: Funds to pay for this expenditure are to be derived from the State Highways Street Construction – Maintenance and Repair.

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:

Effective:

Mayor

Ordinance No.

By – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract(s), after advertising for bids, for the City’s requirements of uniforms for the years 2013, 2014 & 2015.

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

Section 1: That the Director of Public Service of the City of Euclid is hereby authorized, empowered and directed to advertise for bids and enter into a contract(s) for the City’s requirements of uniforms for the years 2013, 2014 & 2015, to be in accordance with specifications on file in the office of the Director of Public Service. Said contract shall be entered into after advertising for not less than two consecutive weeks in a newspaper of general circulation in the City of Euclid and awarded by the Board of Control to the lowest and best bidder. The specifications on file in the office of the Director of Public Service are hereby approved. The contract shall be in form approved by the Director of Law and shall be in conformance with such specifications. It shall be executed by the Director of Public Service. The Board of Control is hereby authorized to waive any minor or technical irregularities that may occur during the bid process.

Section 2: Funds to pay for this expenditure are to be derived from the General Fund – various, Community Block Grants, Highways & Streets – Maintenance, Creeks & Sewers-Storm Damage.

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:

Effective:

Mayor

Ordinance No.
By – Councilperson McLaughlin (by request)

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to renew the Service Agreement between the City of Euclid and Johnson Controls, Inc. for maintenance of chillers at the C.E. Orr Ice Arena for a period of one year commencing on August 1, 2012.

WHEREAS, the City is satisfied with Johnson's Control, Inc.'s performance under the existing contract with the City, which is scheduled to renew on August 1st, 2012; and,

WHEREAS, the extension agreement will be for a period of one year commencing on August 1st, 2012, for the annual sum of \$25,233.00; and,

WHEREAS, funds to be paid for the extension will be derived from the Recreation Operating Account; 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; and

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

Section 1: That the Director of Public Service of the City of Euclid is hereby authorized to renew the service agreement with Johnson Controls, Inc. for maintenance of the chillers at the C.E. Orr Ice Arena for a period of one year, commencing on August 1, 2012, in the amount of \$25,233.00.

Section 2: That funding for the total contract of \$25,233,00 come from the Recreation Operating Account.

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

Resolution No.

By – Councilperson Scarniench

A resolution confirming Council's approval of Ordinance No. 120-2012, authorizing the Mayor of the City of Euclid to enter into a purchase agreement to acquire property from 36097 Westminister Road, LLC, located at 22305 Lakeshore Boulevard, Euclid, Ohio, Permanent Parcel No. 642-10-047, at a cost of Nine Hundred Thousand Dollars (\$900,000).

WHEREAS, the purchase of the property is for the public purpose of expansion and renovation of the municipal Wastewater Treatment Plant as part of the Consent Decree required by the US EPA and Ohio EPA to meet the Clean Water Act's treatment standards; and,

WHEREAS, The Euclid City Council's passed Ordinance No. 120-2012, authorizing the purchase of the property and Ordinance No. 121-2012 to apply for a loan to finance the purchase through the Ohio Water Development Authority, and,

WHEREAS, at the Executive and Finance Committee meeting of the Council on August 27, 2012, that ratification of the prior determination was in the best interest of the ratepayers.

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

Section 1: That this Council confirms its determination made in Ordinance No. 120-2012, authorizing the Mayor of the City of Euclid to enter into a purchase agreement to acquire property located at 22305 Lakeshore Boulevard, Permanent Parcel No. 642-10-047, at a cost of Nine Hundred Thousand Dollars (\$900,000) for improvements to the Wastewater Treatment Facility.

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