

**AGENDA  
EUCLID CITY COUNCIL MEETING  
MONDAY, APRIL 1, 2013 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:**

**COUNCIL MINUTES:** March 18, 2013

**ADMINISTRATION REPORTS & COMMUNICATIONS:**

**REPORTS & COMMITTEE MINUTES:** Executive & Finance Min. 3/11/13  
Police Report of January 2013  
Board of Control: 3/11/13; 3/18/13

**COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY**

**LEGISLATION**

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| <b>Second Reading Public Hearing 4-15-13</b> | <p>1. An ordinance rezoning 19901 Ormiston, P.P. #641-15-113, from U2 to U4 use district and further amending Ord. No. (2812. (Sponsored by Planning &amp; Zoning Commission) Ord. (245-13)</p> <p>2. An emergency ordinance authorizing the sale of Permanent Parcel Number 641-11-129, 19480 Pasnow Avenue, from the Euclid Land Bank, to Virginia Urban for the amount of One Dollar (\$1.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning &amp; Zoning Commission) Ord. (257-13)</p> <p>3. An emergency ordinance authorizing the sale of Permanent Parcels 643-32-010 and 643-32-125, 704 East 240<sup>th</sup> Street and unaddressed parcel on Colborne Avenue, from the Euclid Land Bank, to Mary Harrell for the amount of One Thousand and 00/100 Dollars (\$1,000.00) and One and 00/100 Dollar (\$1.00) respectively as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning &amp; Zoning) Ord. (258-13)</p> <p>4. An emergency ordinance authorizing the sale of Permanent Parcel 646-28-019, 1542-44 East 204<sup>th</sup> Street, from the Euclid Land Bank, to Ida Lofton for the amount of One Thousand and 00/100 Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning &amp; Zoning) Ord. (259-13)</p> <p>5. An emergency ordinance authorizing the sale of Permanent Parcel 649-07-058, 20071 Champ Drive, from the Euclid Land Bank, to Angela Randle for the amount of One Hundred and 00/100 Dollars (\$100.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning &amp; Zoning) Ord. (260-13)</p> |
| <b>First Reading</b>                         | <p>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 Ljubomir Rozic Ace Auto Repair owner , 2011 E. 233 Street, Euclid, Ohio, 44117, and to applicant and prospective tenant Leamon Eddie, 3238 Cedarbrook Road, Cleveland Heights, Ohio 44118 for Permanent Parcel No. 641-02-027 and 641-02-044, to allow a U-5 (Auto Service Shop) use in a U-2 (Two Family) Use District. (Sponsored by Planning &amp; Zoning Commission) Res. (262-13)</p>  |

7. An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Pirc Company Landscaping Snowplowing, LLC, 30170 Lakeland Boulevard, Wickliffe, Ohio 44092 and Wrangler Landscaping and Plow, LLC, 7094 Rushmore Way, Painesville, Ohio 44077, for grass cutting services and Robinson Family Lawncare & Snow Removal, P.O. Box 23015, Euclid, Ohio 44123, as the primary vendor to perform yard clean-up services pursuant to Codified Ordinance 1755.28(e) and 529.03, for the year 2013 with an option for a one year extension to December 31, 2014, in an aggregate amount not to exceed Sixty-Five Thousand Dollars (\$65,000.00) per year. (Sponsored by Councilperson Van Ho by request of Service Director) Ord. (256-13)
8. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract, after advertising for bids, for the hiring of a contractor for Street Resurfacing Program as part of the Waterline Improvements for 2013. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (263-13)
9. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Regency Construction Services, Inc., Lakewood, Ohio, to serve as the Construction Manager for the proposed Euclid Jail remodeling and dormitory addition with the cost to be structured as a fixed fee and percentage of the project cost. (Sponsored by Mayor Cervenik) Ord. (264-13)

**COMMITTEE OF THE WHOLE – PUBLIC PORTION**

**COUNCIL MEMBERS' COMMENTS**

**ADJOURNMENT**

19901 Ormiston Avenue  
PP# 641-15-113  
U-2 to U-4

Ordinance No.

By – Planning and Zoning Commission

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 it relates to and designates U-2 and U-4 use districts relative to said property.

WHEREAS, public notice and hearings have been given in connection with the changing of U-2 and U-4 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-2 to U-4 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 February 12, 2013 which will add to the present U-4 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-4 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# 641-15-113

Situated in the City of Euclid, County of Cuyahoga and State of Ohio and known as being Sublot No, 122 in the Monterey Heights re-subdivision of part of original Euclid Township Lot Nos. 14 and 17, Tract No. 17 as shown by the recorded Plat in Volume 66 of Maps, Page 34 of Cuyahoga County Records and being a parcel of land 40 feet on the Northerly side of Ormiston Road and extending back of equal width 115.91 feet, as appears by said plat, 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-4 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-2 to U-4 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-2 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:

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Clerk of Council

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President of Council

Passed:

Approved:

Effective:

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Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel Number 641-11-129, 19480 Pasnow Avenue, from the Euclid Land Bank, to Virginia Urban for the 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 for private use; and

WHEREAS, Virginia Urban owns the adjacent property, Permanent Parcel Number 641-11-128 and desires to purchase the 641-11-129 parcel for property expansion; and

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

WHEREAS, at its meeting on March 12, 2013 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 641-11-129, 19480 Pasnow to Virginia Urban for an amount of One and 00/100 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 Number 641-11-129, 19480 Pasnow, for an 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. 641-11-129 with the Purchaser's Permanent Parcel Number 641-11-128 with the condition that said consolidation of lots 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:

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Clerk of Council

Passed:

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President of Council

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcels 643-32-010 and 643-32-125, 704 East 240<sup>th</sup> Street and unaddressed parcel on Colborne Avenue, from the Euclid Land Bank, to Mary Harrell for the amount of One Thousand and 00/100 Dollars (\$1,000.00) and One and 00/100 Dollar (\$1.00) respectively 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 for private use; and

WHEREAS, Mary Harrell owns the adjacent property, Permanent Parcel Number 643-32-009 and desires to purchase the 704 East 240<sup>th</sup> Street parcel and unaddressed parcel on Colborne Avenue for property expansion; and

WHEREAS, at its meeting on March 12, 2013 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcels 643-32-010 and 643-32-125, 704 East 240<sup>th</sup> Street and unaddressed parcel on Colborne Avenue, to Mary Harrell for an amount of One Thousand and 00/100 Dollars(\$1,000.00) and One and 00/100 Dollar (\$1.00) respectively; 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 Parcels, 643-32-010 and 643-32-125, 704 East 240<sup>th</sup> Street and unaddressed parcel on Colborne Avenue for an amount of One Thousand Dollars (\$1,000.00) and One Dollar (\$1.00) respectively as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved.

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:

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Clerk of Council

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President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 646-28-019, 1542-44 East 204<sup>th</sup> Street, from the Euclid Land Bank, to Ida Lofton for the amount of One Thousand and 00/100 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 for private use; and

WHEREAS, Ida Lofton owns the adjacent property, Permanent Parcel Number 646-28-020 and desires to purchase the 1542-44 East 204<sup>th</sup> Street parcel for property expansion; and

WHEREAS, at its meeting on March 12, 2013 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel 646-28-019, 1542-44 East 204<sup>th</sup> Street to Ida Lofton for an amount of One Thousand and 00/100 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, 646-28-019, 1542-44 East 204<sup>th</sup> Street for an 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 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:

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Clerk of Council

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President of Council

Passed:

Approved:

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Mayor



Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel 649-07-058, 20071 Champ Drive, from the Euclid Land Bank, to Angela Randle for the amount of One Hundred and 00/100 Dollars (\$100.00) 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 for private use; and

WHEREAS, Angela Randle owns the adjacent property, Permanent Parcel Numbers 649-07-057 and desires to purchase the 649-07-058 parcel for property expansion; and

WHEREAS, the purchased parcel is to be consolidated within six (6) months of transfer into the purchaser's parcels with final approval subject to review and approval of the City Engineer; and improved for use as a parking lot.

WHEREAS, at its meeting on March 12, 2013 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel 649-07-058, 20071 Champ to Angela Randle for an amount of One Hundred Dollars(\$100.00); 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, 649-07-058, 20071 Champ Drive for an amount of One Hundred Dollars (\$100.00) 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. 649-07-058 with the Purchaser's Permanent Parcel Number 649-07-057 with the condition that said consolidation of lots 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:

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Clerk of Council

Passed:

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President of Council

Approved:

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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 Ljubomir Rozic Ace Auto Repair owner , 2011 E. 233 Street, Euclid, Ohio, 44117, and to applicant and prospective tenant Leamon Eddie, 3238 Cedarbrook Road, Cleveland Heights, Ohio 44118 for Permanent Parcel No. 641-02-027 and 641-02-044, to allow a U-5 (Auto Service Shop) use in a U-2 (Two Family) Use District.

WHEREAS, at its meeting on March 12, 2013, the Planning and Zoning Commission approved a Use District Exception to continue a non-conforming U5 (Auto Service Shop) use in a U-2 (Two Family) Use District at 19099 Lake Shore Boulevard, Euclid, Ohio, Permanent Parcel No. 641-02-027; and

WHEREAS, the Planning and Zoning Commission approved a Use District Exception to permit storage of automobiles, an accessory U-4 use, on Permanent Parcel No. 641-02-044 on the condition that a board-on-board fence is constructed that must be at least six feet high, not to exceed the setback building line of the two-family house to the west; and

WHEREAS, the Planning and Zoning Commission approved a variance reducing side and rear yard setbacks for a fence surrounding an auto storage area from 10 feet to zero feet, and eliminating required landscaping for Permanent Parcel No. 641-02-044 subject to four (4) conditions:

1. Vehicle repairs should be limited to passenger vehicles and "pick-up" type trucks.
2. Vehicle repairs should include service work only, not, body work, frame repair, or painting.
3. Outdoor storage of vehicles must be limited to the fenced in storage area.
4. There shall be no auto repairs or customer service on Sundays.

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 Ljubomir Rozic Ace Auto Repair owner, 2011 E. 233 Street, Euclid, Ohio, 44117, and to applicant and prospective tenant Leamon Eddie, 3238 Cedarbrook Road, Cleveland Heights, Ohio 44118 for Permanent Parcel No. 641-02-027 to continue a U-5 (Auto Service Shop ) use in a U-2 (Two Family) Use District; and

Section 2: That a Use District Exception is hereby granted to permit storage of automobiles, an accessory U-4 use, on Permanent Parcel No. 641-02-044 on the condition that a board-on-board fence is constructed that must be at least six feet high, not to exceed the setback building line of the two-family house to the west ; and

Section 3: The above use district exemptions for a nonconforming auto service shop on Permanent Parcel No. 641-02-027 and for outdoor automobile storage on Permanent Parcel No. 641-02-044 shall be subject to the following conditions:

1. Vehicle repairs should be limited to passenger vehicles and "pick-up" type trucks.
2. Vehicle repairs should include service work only, not body work, frame repair, or painting.
3. Outdoor storage of vehicles must be limited to the fenced-in storage area
4. There shall be no auto repairs or customer service on Sundays.
5. Evening business hours are limited to no later than 7:00 p.m. local time.
6. Failure to comply with the above conditions shall result in revocation of the business's Certificate of Occupancy.

Section 4: 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.

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Section 5: That this resolution shall take immediate effect.

Attest:

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Clerk of Council

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President of Council

Passed:

Approved:

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Mayor

Ordinance No.

By – Councilman Van Ho (by request)

An emergency ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Pirc Company Landscaping Snowplowing, LLC, 30170 Lakeland Boulevard, Wickliffe, Ohio 44092 and Wrangler Landscaping and Plow, LLC, 7094 Rushmore Way, Painesville, Ohio 44077, for grass cutting services and Robinson Family Lawncare & Snow Removal, P.O. Box 23015, Euclid, Ohio 44123, as the primary vendor to perform yard clean-up services pursuant to Codified Ordinance 1755.28(e) and 529.03, for the year 2013 with an option for a one year extension to December 31, 2014, in an aggregate amount not to exceed Sixty-Five Thousand Dollars (\$65,000.00) per year.

WHEREAS, on the continuing City of Euclid Grass Cutting/Yard Clean-Up Program, the City of Euclid posted a request for bids on the City's website and six (6) contractors submitted bids for the program; and

WHEREAS, on March 18, 2013, the Euclid Board of Control determined that the bids of Pirc, Wrangler and Robinson were the best and most responsive to the request for bidding based both on timeliness of response, attendance of mandatory pre-bid meeting, and prior performance; and

WHEREAS, Wrangler submitted bids for single cuts, one dollar higher and double cuts, one dollar and fifty cents higher than Pirc. Wrangler has agreed to reduce their price for the single and double cuts to match the prices of Pirc; and

WHEREAS, the proposals from Pirc and Wrangler were determined to be the lowest and best proposals for grass cutting, and they are to be designated as primary co-vendors for grass cutting services; and

WHEREAS, the proposal from Robinson was determined to be the lowest and best proposal for nuisance abatement/yard clean-up, and it is to be designated as primary vendor for nuisance abatement/yard clean-up services and if necessary, back up for grass cutting; 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, thereby ensuring continuation of such grass cutting and yard clean-up services without disruption for the 2013-2014 season.

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

Section 1: That the Director of Law is hereby authorized to enter into a contract Pirc Company Landscaping Snowplowing, LLC, 30170 Lakeland Boulevard, Wickliffe, Ohio 44092, Wrangler Landscaping and Plow, LLC, 7094 Rushmore Way, Painesville, Ohio 44077, for grass cutting services and Robinson Family Lawncare & Snow Removal, P.O. Box 23015, Euclid, Ohio 44123, as the primary vendor to perform yard clean-up services pursuant to Codified Ordinance 1755.28(e), for the year 2013 with an option for a one year extension to December 31, 2014, in an aggregate amount not to exceed Sixty-Five Thousand Dollars (\$65,000.00) per year.

Section 2: Funds to pay for this expenditure are to be derived from the Nuisance Abatement 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

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, after advertising for bids, for the hiring of a contractor for Street Resurfacing Program as part of the Waterline Improvements for 2013.

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 for the hiring of a contractor for Street Resurfacing Program as part of the Waterline Improvements for 2013 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 2013 Waterline Improvement Fund and Infrastructure Improvement 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 shall be in full force and effect from and after the earliest period allowed by law.

Attest:

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Clerk of Council

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

Passed:

Approved:

Effective:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into a contract with Regency Construction Services, Inc., Lakewood, Ohio, to serve as the Construction Manager for the proposed Euclid Jail remodeling and dormitory addition with the cost to be structured as a fixed fee and percentage of the project cost.

WHEREAS, on February 4, 2013, the city advertised for services of a construction or project manager for the jail renovation and dormitory addition project; and

WHEREAS, ten proposals were submitted and reviewed by RCU Architects, Police and Jail personnel and the Director of Public Service; and

WHEREAS, Regency Construction Services, Inc., was deemed to be the most responsive and best proposal; and

WHEREAS, on March 18, 2013, through the Board of Control, Regency Construction Services, Inc., was authorized to perform limited pre-construction services.

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 enter into a contract for a construction manager for the Euclid Jail remodeling and dormitory addition with Regency Construction Services, Inc., with the contract as a construction manager at risk and the fee for services to be a fixed amount not to exceed \$163, 000 plus 1.8% of the final cost of work on the project. The contract shall be in form approved by the Director of Law and shall be in conformance with such conditions and shall be executed by the Director of Public Service.

Section 2: Funds to pay for this expenditure are to be derived from the General Permanent Improvement 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 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



**City of Euclid Jail  
Proposal Form  
Construction Manager at Risk  
March 11, 2013**

Preconstruction – Front Ends, Scheduling	\$ 2,190
Bid and Award, GMP Preparation	<u>\$ 3,311</u>
Subtotal	\$ 5,501
Construction Stage Personnel (Base Rate + DPE) – 10 Months	
Project Manager	\$ 8,837
General Superintendent	\$ 5,360
Project Superintendent/ Engineer	\$ 79,905
Scheduler	<u>\$ 2,108</u>
Subtotal	\$ 96,210
General Conditions – See Exhibits A and B	<u>\$ 65,782</u>
Total	\$167,493
Construction Management at Risk fee (OH/P) on final cost of work:	1.8%
For illustration purposes 1.8% X \$3,800,000 (Estimated Cost of Work)	\$ 68,400



Exhibit A

Project: City of Euclid Jail  
 Architect: RCU  
 Bid Date: March 11, 2013  
 Comp Date: 10 months

Estimated Construction Value: \$ 3,800,000.00

**GENERAL CONDITIONS**

CODE	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL	REMARKS
A.	BUILDER'S RISK INSURANCE	1	LS	2,000.00	2,000	
B.	P. & P. BOND	1	LS	26,532.00	26,532	
C.	PROGRESS PHOTOGRAPHS				Included	
D.	TEMPORARY SANITARY FACILITIES	10.00	MTH	200.00	2,000	
E.	TEMPORARY FIRST AID	10.00	MTH	50.00	500	
F.	TEMP. FIRE PROTECTION	10.00	MTH	200.00	2,000	
G.	SAFETY FOR CMR EMPLOYEES	10.00	MTH	150.00	1,500	
H.	SUPERINTENDENT TRUCK	10.00	MTH	250.00	2,500	
I.	DUMPSTERS (LEED)	10.00	MTH	720.00	7,200	
J.	CMR OFFICE RENTAL, SET-UP, REMOVAL	10.00	MTH	1,309.00	13,090	
K.	CMR FIELD OFFICE UTILITIES	10.00	MTH	411.00	4,110	
L.	CMR FIELD OFFICE CONTENTS	10.00	MTH	50.00	500	
M.	CMR FIELD OFFICE COMPUTER	10.00	MTH	150.00	1,500	
N.	POSTAGE & DELIVERIES	1.00	LS	800.00	800	
O.	TEMPORARY SITE SIGNAGE	1.00	LS	1,200.00	1,200	
P.	BID ADVERTISING COST	1.00	LS	100.00	100	
Q.	PRINTING/REPRODUCTION (CMR USE AND BIDDING)	1.00	LS	250.00	250	
R.	BUILDING INFORMATION MODELING				N/A	
S.	OVERSIGHT OF CONSTRUCTION TRADES (COORDINATION W/FURNITURE, FIXTURES, EQUIPMENT)				Included	
T.	REVIEW AND COORDINATION OF AS-BUILT DOC'S				Included	
U.	REVIEW OF OPERATION & MAINTENANCE MANUALS				Included	
<b>TOTAL GENERAL CONDITIONS</b>					<b>\$65,782</b>	<b>1.73%</b>

Exhibit B

**CMR Responsibilities Assumptions Matrix**

City of Euclid Jail  
 Construction Manager At Risk Request For Proposal  
 3/11/2013



"X" indicates contractual responsibility for an item

	CMR Construction Fee	CMR General Conditions	CMR Trade Packages	ME	Owner
"Overhead" per 00 71 00 - Contracting Definitions	X				
"General Condition Costs" per 00 71 00 - Contracting Definitions		X			
Builder's Risk Insurance					X
Performance/Payment Bond		X			
Contractor's liability insurance	X				
Drug testing and pre-employment screening	X				
Environmental Study					X
Abatement and monitoring services					X
Field layout/survey			X		
NPDES Storm Water General Permit - Notice of Intent, SWPP Plan, and Notice of Termination				X	
Erosion Control Installation, maintenance, logs, removal, etc. to satisfy NPDES Storm Water General Permit			X		
Permit - Plans Approval from State of Ohio per General Conditions 5.8			By City	By City	
All other permits, inspections, specialty permits & tap fees			X		
Photographs		X			
Testing & inspection services					X
Commissioning Services					X
Temporary natural gas, electric, water and sewer utility costs including consumption, operation, system installation, and system removal			X		
Temporary heating/ cooling/ dehumidification			X		
Temporary lighting			X		
HVAC - Permanent system operation until Final Acceptance or Partial Occupancy			X		
HVAC - Permanent system utility consumption until Final Acceptance or Partial Occupancy					X
HVAC - Permanent system extended warranty and service contract per General Conditions 6.14.2.5					X
Plumbing - Permanent system operation until Final Acceptance or Partial Occupancy					X
Plumbing - Permanent system water and sewer utility consumption until Final Acceptance or Partial Occupancy					X
Plumbing - Permanent system extended warranty and service contract per General Conditions 6.14.3.6					X
Temporary Sanitary Facilities		X			
Electrical - Permanent system operation until Final Acceptance or Partial Occupancy					X
Electrical - Permanent system utility consumption until Final Acceptance or Partial Occupancy					X
Electrical - Permanent system extended warranty and service contract per					X
Temporary elevators or hoists including operator and power connection			N/A		
Permanent elevator system extended warranty and service contract per General Conditions			X		
Temporary dewatering and drainage			X		
Temporary first aid		X	X		
Temporary fire protection		X			

	CMR Construction Fee	CMR General Conditions	CMR Trade Packages	A/E	Owner
Temporary snow and ice removal including (1) roadways, site access, site parking, etc. and (2) work areas.			X		
Traffic Control, road barricades and sidewalk barricades			X		
Temporary site access and lay-down area			X		
Vehicle washout areas			X		
Construction fences and gates			X		
Temporary partitions			X		
Dust, noise, and vibration control			X		
Protection of in-place work			X		
OSHA compliance and safety for CMR employees and oversight of all trades		X			
OSHA compliance and safety for field operations			X		
Trash chutes			X		
Superintendent's pick-up truck		X			
Dumpsters for construction debris removal, including LEED waste diversion compliance		X			
Daily Clean-up			X		
Daily Clean-up portion unassigned to trades and road cleaning		X			
CMR Field Office Rental, set-up, maintenance, and removal		X			
CMR Field Office Utilities: connection, consumption, and removal		X			
CMR Field Office contents including stationery, computer, postage and delivery services, office equipment, janitorial service, communications, furnishings, bottled water, office first aid and safety, office regulatory signage, and office cleaning		X			
Temporary site signage		X			
Travel, lodging or parking	X				
Mock-ups			X		
Final cleaning		X			
Bid advertising costs		X			
Printing/reproduction costs for bidding		X			
Printing/reproduction costs for own use, use of subcontractors, and as requested by Owner		X			
Printing/reproduction costs for own use and use of subconsultants, and as requested by Owner				X	
Building Information Modeling		N/A		N/A	
Furniture, Fixtures & Equipment purchase and installation, unless specifically noted on documents					X
Construction trade coordination with Furniture, Fixtures & Equipment			X		
Oversight of construction trade coordination with Furniture, Fixtures & Equipment		X			
As-built Documents, including documentation of concealed conditions			X		
Review and coordination of As-built Documents before submission to A/E		X			
Operation & Maintenance manuals			X		
Review of Operation & Maintenance manuals before submission to Owner and A/E, as well as summary closeout manual listing contacts, all warranties, scopes of work, etc.		X			
Creation of Record Documents from As-built Documents				X	



March 11, 2013

Ms. Janet L. Clinton  
Warden  
Euclid Police Department  
Division of Corrections  
545 East 222<sup>nd</sup> Street  
Euclid, Ohio 44123

**Reference: Euclid Jail & Dormitory Addition/Renovation Project  
Construction Management Services  
Cost of Services Proposal**

Dear Ms. Clinton:

On behalf of my entire team I want to thank you and the other members of the selection committee again for advancing Regency through the review process where we now can provide our cost proposal to serve as your Construction Manager on this very important project. As we advanced through your process our team felt a bond developing between all parties and we look forward to continuing that momentum and team focus throughout the project length.

As a follow-up to your request, and in keeping with our transparent approach to managing projects, you will find four documents attached to this letter. The first document summarizes our entire compensation proposal and it includes the cost of our preconstruction services that includes the preparation of our portions of the bidding documents, Bidding and Awarding of Sub-Contracts and the preparation of the GMP; our Construction Stage Personnel Costs (Base Rates plus DPE); our General Conditions, and our Construction Management at Risk Fee percentage (overhead plus profit). Exhibit A outlines the items and costs that make up the General Conditions portion of the overall cost; Exhibit B provides outline of the CMR Responsibilities Assumptions Matrix that we discussed at the last session and Exhibit C is a Preliminary Timeline that was used as the basis of all calculations. Please contact me directly at 216-529-1188 if you have any question regarding this proposal. Our team is ready to begin immediately to advance the program to a successful conclusion.

Sincerely,

A handwritten signature in cursive script that reads 'Tari S. Rivera'.

Tari S. Rivera  
President

February 4, 2013

CITY OF EUCLID

PROPOSED EUCLID/JAIL/DORMITORY ADDITION AND REMODELING

545 E. 222<sup>ND</sup>. STREET, EUCLID, OHIO 44132

**REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT SERVICES**

The City of Euclid is inviting construction management firms to submit a proposal for professional services for the construction of an addition, renovations and demolition of portions of the existing Euclid Jail.

**The Estimated Cost Of Construction**                      \$3.8 M

**Description of Work: Two Phases of Construction:**

**PHASE I** - Remodel existing 1,784 s.f. space for temporary use (some work may commence on Phase II)

**PHASE II** - Demolition of existing jail and constructing new dormitory facilities for men and women 13,561 s.f. Remodel existing booking area 1,938 s.f. adjacent to Sally Port (Sally Port remains).

**Construction Components:** Are slab-on-grade precast mezzanine floors - masonry wall bearing - steel joists - metal deck - insulation and single ply roof.

The firm selected by the City of Euclid would begin immediately and will be responsible for providing assistance, including planning, coordination, and directing all phases of the demolition/modifications to the existing facility. The phases of this project include pre-construction, bidding coordinating, managing and directing all phases of the Proposed Euclid Jail/Dormitory Addition and Remodeling project.

**Scope of Services:**

As required for this project, the Construction Manager will provide the following categories of services: provide constructability review comments on documents produced by the Architect during the Design Development, and Construction Document phases; develop and maintain estimates of probable construction cost, perform value engineering analyses, develop and update monthly project schedules, and construction schedules; lead and manage the Subcontract or Prequalification and Bidding process, Construction and Closeout phases of the project.

**Selection Process:**

**Short List:**