

**AGENDA  
EUCLID CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 16, 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:** Liquor Permit: Walgreens 22401 Lake Shore Blvd. New C1, C2

**COUNCIL MINUTES:** September 3, 2013

**ADMINISTRATION REPORTS & COMMUNICATIONS:**

**REPORTS & COMMITTEE MINUTES:** Monthly Finance Report through August, 2013  
Service Committee Min.: August 28, 2013  
Board of Control: 8/26/13; 9/3/13

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

**LEGISLATION**

1. An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to enter into an agreement to extend the current contract with J&J Refuse, now known as Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and to provide the additional service of weekly recycling pick-up for the City of Euclid through December 31, 2019, with a mutual option to extend the agreement for an additional 5 year period. (Sponsored by Mayor Cervenik) (Recommended for passage by the Executive & Finance Committee) Ord. (320-13)
2. An emergency ordinance amending Ordinance #53-2013 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2013. (Sponsored by Mayor Cervenik by request of Finance Director) (Recommended for passage by the Executive & Finance Committee) Ord. (327-13)
3. An emergency ordinance to approve the editing and inclusion of certain ordinances and resolutions as parts of the various component codes of the Codified Ordinances; to provide for the adoption and publication of new matter in the updated and revised Codified Ordinances; and to repeal ordinances and resolutions in conflict therewith. (Sponsored by President Holzheimer Gail) Ord. (330-13)
4. An ordinance authorizing the Director of Public Service of the City of Euclid to forego competitive bidding procedures for diesel and unleaded fuel purchases for vehicles and equipment for the City of Euclid for the calendar years 2014 and 2015, and make such purchases from any of five (5) specified vendors based on the lowest available price. (Sponsored by Councilman McLaughlin by request of Service Director) Ord. (331-13)
5. An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into agreement with the Lake County Sheriff's Office for the confinement and support of prisoners for an amount of \$215,000.00. (Sponsored by Councilperson Jones by request of Police Chief) Ord. (333-13)

6. An ordinance repealing Section 1387.03 of the Planning and Zoning Code and creating Section 1359.05(g) of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid to provide for enhanced requirements when installing security door or window guards, gates or bars on retail, commercial and industrial uses. (Sponsored by Councilperson O’Hare by request of Planning & Development Director) TO BE REFERRED TO COMMITTEE Ord. (334-13)
7. An emergency ordinance authorizing The Mayor to apply for, accept and enter into a Water Pollution Control Loan Fund Agreement on behalf of the City Of Euclid with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, and the Ohio Water Development Authority, through the Water Pollution Control Loan Fund, for construction of the East 220<sup>th</sup> St./Crystal Ave. (SSO #26 & #27); East 194<sup>th</sup> St. (SSO #25); East 222<sup>nd</sup> St./Tracy Ave. (WIB) SSO Elimination Sewer Project; designating a dedicated repayment source for the loan. (Sponsored by Councilperson McLaughlin by request of the Public Service Director) Ord. (335-13)

**CEREMONIAL RESOLUTION**

8. A resolution of appreciation to **Euclid Pony League** in recognition of its over 60 years of service in providing a quality baseball program for youth ages 13 to 15 residing in the city and surrounding communities. (Sponsored by Mayor Cervenik and Entire Council) Res. (332-13)

**COMMITTEE OF THE WHOLE – PUBLIC PORTION**

**COUNCIL MEMBERS’ COMMENTS**

**ADJOURNMENT**

Ordinance No.

By – Mayor Cervenik

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to enter into an agreement to extend the current contract with J&J Refuse, now known as Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and to provide the additional service of weekly recycling pick-up for the City of Euclid through December 31, 2019, with a mutual option to extend the agreement for an additional 5 year period.

WHEREAS, Kimble Recycling and Waste Disposal, Inc. has provided solid waste collection and disposal for the City of Euclid since March 1, 2010; and

WHEREAS, the Director of Public Service has negotiated with Kimble Recycling and Waste Disposal, Inc. to provide service through the use of 96 gallon rolling containers and to improve the level of community recycling through the use of 64 gallon rolling containers; and

WHEREAS, Kimble Recycling and Waste Disposal, Inc. has proposed a new agreement commencing January 1, 2014, and running through December 31, 2019, during which period Kimble would provide weekly unlimited solid waste and recycling collection at each eligible residence and certain municipal facilities; and

WHEREAS, the Director of Public Service has determined that based upon current and expected collection costs for solid waste and recycling, the City would realize savings in excess of \$500,000 over a four year period; and

WHEREAS, the contract would carry a variable fuel surcharge provision throughout the life of the agreement and the final two years of the contract period would adjust based upon the consumer price index applicable for the time period involved; and

WHEREAS; the final contract would include a mutual option period for five additional years; and

WHEREAS; the period to retro fit Kimble trucks and to order and deliver the rolling containers will be between three and four months; and

WHEREAS, the Council hereby waives competitive bidding based upon the cost saving to the City through the contract extension; and

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

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

Section 1: That the Mayor of the City of Euclid or his designee is hereby authorized to enter into an agreement to extend the current contract with J&J Refuse, now known as Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and to provide the additional service of weekly recycling pick-up for the City of Euclid through December 31, 2019, with a mutual option to extend the agreement for an additional 5 year period.

Section 2: That Kimble Recycling and Waste Disposal, Inc., provide 96 gallon trash rolling solid waste containers and 64 gallon rolling recycling containers at no additional cost to all eligible residents in the City on or before January 1, 2014,

Section 3: That the contract, consistent with the rates provisions and services provided in the attached rate schedule, be approved by the Director of Law.

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 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





FUND #	FUND NAME	PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
210	STATE HIGHWAY IMPROVEMENT	0	109,278	109,278
211	INDIGENT DRIVER	0	30,000	30,000
212	COURT COMPUTERIZATION	28,313	77,000	105,313
213	SPECIAL PROJECTS	109,855	19,045	128,900
214	ANIMAL SHELTER	63,030	17,625	80,655
216	NUISANCE ABATEMENT TRANSFER TO GENERAL FUND	0	68,000 110,000	
	TOTAL NUISANCE ABATEMENT FUND			178,000
217	IND DRIVERS INTERLOCK & ALCOHOL MONITORING	0	6,000	6,000
220	STREET CONSTRUCTION, MAINT. & REPAIR	1,174,603	596,069	1,770,672
230	COMMUNITY TELEVISION	69,783	1,200	70,983
240	RECREATION OPERATING	483,099	402,387	885,486
250	COMMUNITY DEVELOPMENT BLOCK GRANT	619,847	680,153	1,300,000
252	NEIGHBORHOOD STABILIZATION PROGRAM	160,264	2,839,736	3,000,000
255	OTHER GRANTS	200,226	1,799,774	2,000,000
280	LAW ENFORCEMENT TRUST	20,650	203,264	223,914
290	SHORE CORPORATION	0	145,708	145,708
291	UNCLAIMED MONIES TRANSFER TO GENERAL FUND	0	11,102 0	
	TOTAL UNCLAIMED MONIES			11,102
310	GENERAL PERMANENT IMPROVEMENT	0	1,300,288	1,300,288
320	RECREATION CAPITAL	89,713	62,210	151,923
330	SIDEWALK REPAIR & REPLACEMENT	0	29,084	29,084
350	PUBLIC BUILDING CONSTRUCTION	0	4,703,167	4,703,167
370	EUCLID ENDOWMENT TRANSFER TO SHORE CORP FUND	0	50,000 117,000	
	TOTAL EUCLID ENDOWMENT FUND			167,000
380	SIMS PARK	0	79,907	79,907
391	BENNINGTON HAMLET T.I.F.	0	69,335	69,335
393	CMP PROPERTIES T.I.F.	0	178,708	178,708
394	HARBOR TOWN T.I.F.	0	153,488	153,488
395	DOWNTOWN DISTRICT-A T.I.F.	0	110,000	110,000
410	BOND RETIREMENT	55,489	9,115,267	9,170,756
510	WASTE WATER TREATMENT OPERATIONS TRANSFER TO CREEKS & SEWERS TRANSFER TO EQUIP. REPLACEMENT	3,912,110	13,008,866 995,000 500,000	
	TOTAL WASTE WATER TREATMENT FUND			18,415,976
511	W.W.T. EQUIPMENT REPLACEMENT	0	750,000	750,000
512	CREEKS & SEWERS	819,846	141,938	961,784
513	TWO MILL SEWER LEVY ADMINISTRATION TRANSFER TO CREEKS & SEWERS	0	0 0	
	TOTAL TWO MILL SEWER LEVY			0

<u>FUND #</u>	<u>FUND NAME</u>	<u>PERSONAL SERVICES</u>	<u>OTHER EXPENDITURES</u>	<u>TOTAL</u>
515	PETERSON TRUNK LINE TRANSFER TO WWT FUND	0	7,881,824 0	
	TOTAL PETERSON TRUNK LINE FUND			7,881,824
516	WATER LINE IMPROVEMENT TRANSFER TO PETERSON TRUNK LINE FUND	0	3,622,566 0	
	TOTAL WATER LINE IMPROVEMENT FUND			3,622,566
560	BRIARDALE GOLF COURSE	0	2,724	2,724
610	WORKERS COMP RESERVE	0	0	0
630	SELF INSURANCE	0	150,000	150,000
730	RETIREEES INSURANCE PAYMENTS	19,200	500	19,700
740	BUILDING DEPOSITS	0	107,584	107,584
750	STREET OPENING	0	40,000	40,000

**SECTION 4 :** THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREIN.

**SECTION 5 :** THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

**SECTION 6 :** 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 OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

**SECTION 7 :** THAT LINE ITEM NUMBER 510, ENTITLED "TRANSFER TO W.W.T. EQUIPMENT REPLACEMENT" SHALL REMAIN AS AMENDED IN SECTION 2 OF ORDINANCE NO. 154-1997, SO THAT IN THIS AND EVERY SUBSEQUENT YEAR AN AMOUNT NOT LESS THAN FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) SHALL BE TRANSFERRED.

**SECTION 8 :** THAT THE FOLLOWING FUND IS HEREBY AUTHORIZED TO BE CREATED, (NONE FOR 2013) AND THE FOLLOWING FUND IS NO LONGER NEEDED AND IS HEREBY ABOLISHED, 215-OLD WATERLINE

**SECTION 9 :** THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS 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 :  
\_\_\_\_\_



## Budget Amendment Explanation - September 3rd, 2013

<u>Department</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
Civil Law	101-416-161-11-03	Salary adjustment due to departure	(\$5,715)
	101-416-161-14-00	unanticipated separation payout	\$9,167
	101-416-161-33-04	boldin case to outside counsel	\$15,000
Criminal Law	101-416-162-XX-XX	payroll adjustment plus pension	\$3,648
Public Buildings	101-417-170-13-00	Overtime	\$3,000
	101-417-170-14-00	unanticipated separation payout	\$37,100
	101-417-170-33-05	Other professional services - HVAC breakdowns	\$6,000
	101-417-170-58-01	Additional licenses for Tradesmen and Supervisors	\$500
	101-417-170-61-02	Janitorial/Maint Supplies - due to HVAC repairs	\$6,000
Engineering	101-417-172-33-05	Other Prof. Services - Eastbrook Driveway	\$7,000
Motor Maintenance	101-417-173-61-04	Parts	\$25,000
Civil Service	101-419-192-33-05	Anticipated 6 police and 5 fire hires, and police promotional exams	\$25,000
Waste Collection	101-432-323-42-01	Containers	\$30,000
Parks	101-452-521-XX-XX	Overtime plus medicare/pension	\$5,800
Seniors	101-466-669-33-05	Other Professional services	\$3,000
	101-466-669-63-00	Food	\$30,000
Debt Service	101-471-712-33-05	Principal	\$25,200
<b>General Fund</b>			<b>\$225,700</b>
Traffic Maintenance	220-429-293-61-04	Traffic truck repairs and LED lighting upgrades	\$500
	220-429-293-61-06	Traffic Signals - upgrades and repairs	\$3,000
	220-429-293-61-07	Traffic Signs - unexpected sign repairs from MVAs, upgrades	\$2,000
<b>Street Maint &amp; Cons Fund</b>			<b>\$5,500</b>
Federal Expenditures	280-421-2125-33-05	Detective bureau renovation	\$10,000
	280-421-2125-33-05	Network switch upgrades (\$1,600) Automatic back-up (\$1,300)	\$2,900
	280-421-2125-61-05	Training simunitions (\$6,000) Shotgun Service (\$5,000)	\$11,000
	280-421-2125-61-05	Server software upgrade	\$5,500
	280-421-2125-74-02	Pick-up truck	\$13,000
	280-421-2125-74-04	Workout Room Equipment (\$5,000) Ticket printers (\$2,400)	\$7,400
	280-421-2125-74-04	Computers and software	\$42,000
	280-421-2125-74-04	In-car video/computer per ord #74-2013	\$38,399
<b>Law Enforcement Trust Fund</b>			<b>\$130,199</b>
Storm Drainage	310-431-315-33-03	Eastbrook Repair - Sewer	\$190,000
	310-431-315-33-03	Eastbrook Repair - Garage	\$40,000
	310-431-315-33-03	Eastbrook Repair - Landscape	\$5,000
	310-431-315-33-03	E. 279 St. Wall Repair	\$18,000
	310-431-315-33-03	Braeburn Ravine Structures	\$85,000
<b>General Permanent Improvement Fund</b>			<b>\$338,000</b>

## Budget Amendment Explanation - September 3rd, 2013

<u>Department</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
Debt Service	410-471-711-33-05	Principal	\$100,000
	<b>Bond Retirement Fund</b>		<b>\$100,000</b>
Claims	630-416-163-80-08	additional pending cases	\$25,000
	<b>Self Insurance Fund</b>		<b>\$25,000</b>
Refunds	740-493-80-06	refund of fire damage deposits	\$50,000
	<b>Building Deposit Fund</b>		<b>\$50,000</b>

Ordinance No.

Sponsored by Council President Holzheimer Gail

AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, American Legal Publishing has completed its 2011 updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (June 30, 2011) have been included in the Codified Ordinances of the City; and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law; and

WHEREAS, an emergency exists in that it is immediately necessary to have an up-to-date Code of Ordinances that is consistent with current State law, as required by the Ohio Constitution, in order to administer the affairs of the City and to ensure law and order:

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

Section 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
121-2011	9-6-11	505.23, 505.231, 505.232
126-2011	9-6-11	105.02 to 105.09
147-2011	10-17-11	1377.01
151-2011	10-17-11	1703.042
152-2011	10-17-11	1703.043
171-2011	11-21-11	705.01 to 705.16, 705.99
172-2011	11-21-11	1359.03, 1359.04, 1389.03
15-2012	2-6-12	1763.01 to 1763.11, 1763.99
32-2012	3-26-12	922.02, 922.04
46-2012	4-16-12	1705.03
51-2012	5-7-12	559.07
73-2012	5-21-12	1387.06
74-2012	5-21-12	1321.25, 1323.05
86-2012	6-4-12	137.03
133-2012	9-4-12	335.09, 351.19, 351.99
134-2012	9-4-12	Repeals Ch. 191
155-2012	10-15-12	1703.65
156-2012	10-15-12	1705.03
157-2012	10-15-12	922.02, 922.04
167-2012	11-5-12	1359.03, 1359.06
176-2012	11-19-12	923.02

Section 2: That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 1 hereof are hereby repealed, except as follows:

- (a) The enactment of such new matter shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to December 31, 2012.

Section 3: That pursuant to Section 121.13 of the Codified Ordinances, the Clerk of Council is directed and authorized to post for a period of fifteen days a copy of this ordinance in the five public places as specified in Section 121.13. Pursuant to Article II, Section 5, of the City Charter, no further publication of this ordinance, or of the 2013 Replacement Pages hereby approved, adopted and enacted, shall be necessary.

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 meetings of any of the committees of Council that resulted in such formal action were 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, it shall be in full force and effect from and after its passage and approval; otherwise it shall be in full force and effect from and after the earliest period allowed by law.

Attest:

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

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

Passed:

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to forego competitive bidding procedures for diesel and unleaded fuel purchases for vehicles and equipment for the City of Euclid for the calendar years 2014 and 2015, and make such purchases from any of five (5) specified vendors based on the lowest available price.

WHEREAS, it has been determined that the purchase of diesel and unleaded fuel on an annual bid basis is uneconomical because of the frequency of changes in fuel prices; and

WHEREAS, the Secretary for Motor Maintenance received letters of intent from the five (5) companies listed below. When a fuel purchase is required all five of the vendors will be contacted and the lowest price available will be accepted; and

WHEREAS, the five (5) specified vendors are:

Great Lakes Petroleum Company  
4500 Renaissance Pkwy.  
Cleveland, Ohio 44128  
(216)478-0501

Petroleum Traders Corporation  
7110 Point Inverness Way  
Fort Wayne, Indiana 46804-7928  
(800)348-3705, ext. 6398

Ullman Oil Company  
9812 E. Washington St.  
Chagrin Falls, Ohio 44023-0399  
(440)543-5195

Universal Oil, Inc.  
265 Jefferson Avenue  
Cleveland, Ohio 44113-2594  
(216) 771-4300

Willoughby Hills Development & Distribution  
29200 Euclid Avenue  
Wickliffe, Ohio 44092  
(877)372-3825, ext. 104

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 to forego competitive bidding procedures for diesel and unleaded fuel purchases for vehicles and equipment for the City of Euclid and make such purchases from any of the five (5) vendors based on the lowest available price for the calendar years 2014 and 2015.

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 Jones (by request)

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to enter into agreement with the Lake County Sheriff’s Office for the confinement and support of prisoners for an amount of \$215,000.00.

WHEREAS, the City of Euclid has inadequate facilities for confining and supporting prisoners which the City of Euclid is required by law to confine and support by reason of sentences imposed upon them as a result of convictions or guilty pleas to charges of violations of any ordinances or statutes of the law, awaiting hearing for such violation, or waiting trial of any such violations; and

WHEREAS, Lake County Sheriff’s office owns and operates a full service and minimum security jail; and

WHEREAS, the services to be provided by the Lake County Sheriff’s Office are specialized services for which no competitive bidding is required; and

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

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

Section 1: That the Mayor, or his designee be, and he is authorized and empowered to enter into agreement with the Lake County Sheriff’s Office to provide the services of confining and supporting prisoners of the Euclid City Jail for which the City of Euclid is required by law to confine and support. The cost of supervising, confining, and boarding said prisoners shall be \$215,000.00.

Section 2: Funds to pay for this expenditure are to be derived from the General 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 O'Hare (by request)

An ordinance repealing Section 1387.03 of the Planning and Zoning Code and creating Section 1359.05(g) of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid to provide for enhanced requirements when installing security door or window guards, gates or bars on retail, commercial and industrial uses.

WHEREAS, the City of Euclid wishes to enact more comprehensive regulations on securities gates and bars placed on local businesses; and

WHEREAS, the existing ordinance allows for the installation of a wide variety of security gates throughout the City of Euclid; and

WHEREAS, the City wishes the installation of security gates and bars to be aesthetically appealing to the community and surrounding businesses.

WHEREAS, the City wishes to minimize negative public perceptions which might follow the installation of overly intrusive barrier type security systems which might tend to have a blighting influence on surrounding properties.

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

Section 1: That Section 1387.03 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby repealed in its entirety.

~~**1387.03 SECURITY DOOR GUARDS AND GATES.**~~

~~—The installation or use of any type of steel windows or door guards, folding gates, grating or steel bars placed across doors or windows in a Class U4, U5, U6 or U8 Use District, shall be conditioned upon the issuance of a special permit by the Planning and Zoning Commission, which permission shall be confirmed by Council before becoming effective.~~

Section 2: That Section 1359.05(g) of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby amended to read as follows:

**1359.05(g) Metallic Door and Window Guards, Grates, Bars Shutters and Rolling Shutters**

The installation or use of any type of metallic window guards or door guards, folding gates, grating or bars shutters or rolling shutters placed across doors or windows in a retail or commercial or industrial use or accessory building shall be conditioned upon the issuance of a special permit by the Planning and Zoning Commission. In reviewing the request for a special permit the business operator must demonstrate the following:

(a) That unprotected windows and doors would be at risk to damage through crime or vandalism, to a degree which would constitute a hardship to the operation of the business. Evidence of hardship shall include but is not limited to the following:

(1) Incidents of criminal activity or vandalism on site or in proximity to the subject property.

(2) Incidents of criminal activity or vandalism at similar business establishments locally or regionally.

(3) Evidence of particular risk factors for crime or vandalism related to the specific location or physical features of the property, hours of operation and hours of non-operation.

(4) Evidence of risks which may be specific to the trade or business involving the application.

(b) Upon finding a need for a special permit, in order to promote high standards of design and operation, the Planning and Zoning Commission shall: refer the special permit application to the Architectural Board of Review

which shall review elevation drawings, and installation specifications materials construction documents and color samples based on compatibility with the following factors:

(1) The system and installation of window or door guards, folding gates, grating or steel bars placed across doors or windows shall minimize visibility from public streets and where practical shall be entirely installed on the interior of the window and door frames.

(2) The security system design and installation shall, as much as is practical, minimize the visibility of track and storage systems as they would be seen from the exterior of the building.

(3) Any system to be installed within a multi tenant structure shall consider the context and impact on other tenants of the larger premises.

(4) The design shall, to such degree as is practical, minimize the visual impact of the system in both the open and closed positions.

(5) The design shall be visually compatible with the surrounding area and the general expectations of the specific use district and adjacent districts applicable to the subject property and it's neighborhood context.

(6) The owner or tenant shall participate in the City of Euclid "Knox Box" emergency entry program administered through the Fire Department.

(Section 1387.03 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid be and the same is hereby repealed.

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 MAYOR TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF EUCLID WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY, DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE, AND THE OHIO WATER DEVELOPMENT AUTHORITY, THROUGH THE WATER POLLUTION CONTROL LOAN FUND, FOR CONSTRUCTION OF THE EAST 220<sup>TH</sup> ST./CRYSTAL AVE. (SSO #26 & #27); EAST 194<sup>TH</sup> ST. (SSO #25); EAST 222<sup>ND</sup> ST./TRACY AVE. (WIB) SSO ELIMINATION SEWER PROJECT; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Euclid has completed the planning and design of improvements to the East 220th St./Crystal Ave. (SSO #26 & #27); East 194<sup>th</sup> St. (SSO #25); East 222<sup>nd</sup> St./Tracy Ave. (WIB) SSO Elimination Sewer Project for a Water Pollution Control Loan Fund (WPCLF) loan through the Ohio Environmental Protection Agency (OEPA); and

**WHEREAS**, the City of Euclid seeks to upgrade the existing aforementioned sewers; and

**WHEREAS**, the City of Euclid has agreed on a time schedule with the U.S. Environmental Protection Agency, U.S. Department of Justice and the Ohio EPA for design and construction of various wastewater facilities improvements; and

**WHEREAS**, the City of Euclid intends to apply for a Water Pollution Control Loan Fund (WPCLF) loan to assist the City to pay for the construction of the wastewater facilities costs of the aforementioned wastewater facilities improvements; and

**WHEREAS**, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application for a loan and the execution of an agreement, as well as designation of a dedicated repayment source(s).

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE COUNTY OF CUYAHOGA, STATE OF OHIO:**

**SECTION 1.** That the Mayor be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for construction of improvements to the East 220th St./Crystal Ave. (SSO #26 & #27); East 194<sup>th</sup> St. (SSO #25); East 222<sup>nd</sup> St./Tracy Ave. (WIB) SSO Elimination Sewer Project on behalf of the City of Euclid, Ohio.

**SECTION 2.** That the Council and administration of the City of Euclid hereby designate sewer user fee revenue for a dedicated source of repayment to the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, through the Water Pollution Control Loan Fund.

**SECTION 3.** That, if approved, the Mayor is hereby authorized to execute any and all documentation that may be required by the Ohio EPA and the OWDA to secure and administer a WPCLF Cooperative Agreement for a loan for the purpose stated therein.

**SECTION 4.** That the Council and administration of the City of Euclid hereby request that the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, through the Water Pollution Control Loan Fund, consider and fund its application.

**SECTION 5.** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were conducted in meetings open to the public and 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 immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for further reason to comply with the U.S. EPA, U.S. Department of Justice, Ohio EPA WPCLF and Ohio Water Development Authority time constraints which must be met in order to receive such a loan and/or to remain in compliance with previous agreements with said agencies; and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

Attest: \_\_\_\_\_  
Clerk of Council

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

Passed:

Approved:

\_\_\_\_\_  
Mayor

RESOLUTION OF APPRECIATION

A resolution of appreciation to **Euclid Pony League** in recognition of its over 60 years of service in providing a quality baseball program for youth ages 13 to 15 residing in the city and surrounding communities.

WHEREAS, in 1951 the **Euclid Pony League** became one of the first programs in the nation to connect with the national PONY League program, and provided the opportunity for thousands of young children, ages 13 and up, to participate in America's Pastime with quality facilities, with outstanding mentoring and guidance; and embraced the values of citizenship and fair play in both league and tournament play.

WHEREAS, the **Euclid Pony League** inspired over nine-thousand young men and women to not only play the game of baseball, but to be a part of a team, develop good sportsmanship, and serve their community. The Euclid Pony League worked hard to build pride in our community and develop the sense of responsibility in the kids and families they serve to be involved and active members of their community; and

WHEREAS, the **Euclid Pony League** worked in collaboration with the Recreation Department, Parks Department, Euclid City Schools and other baseball leagues to create and improve facilities and programming; and

WHEREAS, the **Euclid Pony League** was in particular supported by the tireless efforts of Dan Pado and Terry Wilbraham in formation, coaching, umpiring, administrating, fundraising and in all ways promoting the value of organized baseball for teens ; and

WHEREAS, the City of Euclid would like to acknowledge and thank the many other volunteers, businesses, and community supporters whose time and generous donations have made the past 60 years of **Euclid Pony League** possible;

WHEREAS, as the **Euclid Pony League** celebrated over 60 years of service, the Council and Administration wish to recognize their outstanding commitment to the youth of the community and the difference **Euclid Pony League** has made in the lives of so many.

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

Section 1: The Council and Administration of the City of Euclid acknowledge the **Euclid Pony League** on its exemplary success and historic contribution to the city and the difference it has made in the lives of countless youth in the community.

Section 2: That this resolution shall take immediate effect.

Resolution No.

By - Mayor Cervenik, Council President Holzheimer Gail, Councilpersons Caviness, Scarniench, Jones, Lynch, McLaughlin, O'Hare, Langman, and Van Ho.

Attest:

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

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

Passed:

Approved:

\_\_\_\_\_  
Mayor