

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, MAY 19, 2014 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER**

PERMISSIBLE PRELIMINARIES: The Shore Store

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS:

COUNCIL MINUTES: May 5, 2014

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Safety Committee Min.: April 30, 2014
Board of Control: 4/28/14; 5/5/14

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

1. A resolution authorizing the Mayor of the City of Euclid or his designee to submit an application and enter into a contract, commencing January 1, 2015 through December 31, 2016, for funding of Community Social Services for seniors sixty (60) years of age and older from the Cuyahoga County Department of Senior and Adult Services (DSAS). (Sponsored by Mayor Cervenik) Res. (068-14)

Comment: Grant allows for assistance to seniors directed to independent living. The City has been successful in obtaining the grant since 2006 with the exception of 2011 and 2012.

2. An ordinance authorizing the Mayor of the City of Euclid to enter into an agreement to lease space at the Lakefront Community Center to the Help Foundation for a maximum ten (10) year period. (Sponsored by Mayor Cervenik) Ord. (072-14)

Comment: Help Foundation will lease the space at the Lakefront Community Center that had been occupied by the Cuyahoga County Department of Developmental Disabilities. The lease will require annual renewals and includes shredding services as a component of the rent. Programs will remain for participants as conducted by CCDD and Help Foundation.

3. An emergency ordinance authorizing the Administrative Director to enter into a 43 month agreement with Be Well Solutions, Solon, Ohio, to implement a comprehensive employee wellness program, commencing June 1, 2014, and expiring December 31, 2017, in an amount not to exceed \$49,000 annually. (Sponsored by Mayor Cervenik) Ord. (070-14)

Comment: As discussed at the Executive and Finance Committee meeting, Be Well Solutions will provide employee and spouse screenings and various wellness programs and monitoring as part of the comprehensive overhaul of the City's health care funding.

	4.	An ordinance authorizing the Director of Public Service of the City of Euclid to enter into contracts with Rush Truck Centers, Cincinnati, Ohio, and Henderson Truck Equipment-Ohio, Bucyrus, Ohio, for the purchase of a 2015 International 7500 truck outfitted with a dump body and plow in the amount of \$149,510. (Sponsored by Councilperson McLaughlin by request of Public Service Director)	Ord. (071-14)
		Comment: Vehicle will be purchased at state contracting schedule price, a discount of \$41,178 from the list price and will be financed by a municipal lease paid from the General Permanent Improvement Fund.	
Third Reading	5.	An ordinance <u>repealing section 559.09 of Title 5, General Offenses Code and enacting a new section within Chapter 921 of the Streets, Utilities and Public Services Code of Title 9 of the Euclid Codified Ordinances</u> providing for the curtailment of water usage during a stated water emergency. (Sponsored by Mayor Cervenik)	Ord. (050a-14)
		Comment: As part of the water service agreement with the City of Cleveland, the City of Euclid is required to have the authority to order restricted water use during an emergency shortage. The curtailment of use would not affect human and sanitary consumption or limited business uses. Sprinkling bans and other non-essential uses would be impacted during an emergency, however, the use of non-potable water for gardens and industrial uses would not be impacted.	
	6.	An ordinance authorizing the purchase of a fee simple interest in, over, and upon certain real property within the City of Euclid and authorizing the Mayor to enter into a purchase agreement therefore, and declaring an emergency. (Sponsored by Mayor Cervenik) TABLED LAST MEETING	Ord. (039-14)
		Comment: Purchase of BP gas station site in Wastewater Plant construction zone would allow for more efficient use of equipment and improved construction performance.	
First Reading	7.	An ordinance authorizing the continuation of the solid waste collection fee for residential accounts for the years 2015 and 2016. (Sponsored by Mayor Cervenik)	Ord. (069-14)
		Comment: Renewal of curbside solid waste and recycled material collection fee. Discounted fee included for persons meeting eligibility requirements. Fee is included on property tax as an assessment.	
Second Reading	8.	An ordinance enacting a special assessment upon all property within the City of Euclid to be used for the payment of street lighting within the City. (Sponsored by Mayor Cervenik)	Ord. (057-14)
		Comment: The assessment would remain at 1.42 mills and would apply to commercial, industrial and residential properties, excluding tax exempt properties. The assessment would apply to collections in 2015 and 2016.	
	9.	A resolution instructing the Administration to implement a hiring and promotional freeze for all departments funded by the General Fund, to be in effect from the date of passage of this resolution to December 31, 2014. (Sponsored by Councilpersons Caviness, Delaney, Gorshe, Langman, McLaughlin, Scarniench)	Res. (067-14)
	10.	An ordinance authorizing the Chief of Police of the City of Euclid to purchase five (5) in-car video/computer systems from L3 Mobile-Vision, Inc., 90 Fanny Road, Boonton, NJ 07005 in an amount not to exceed Forty Eight Thousand Dollars (\$48,000.00). (Sponsored by Councilperson Jones by request of Police Chief)	Ord. (074-14)
		Comment: The purchase of the 5 video and in car computers will continue the upgrade of police vehicles. Payment for the equipment comes from forfeited money that is held in the Law Enforcement Trust Fund.	

- First Reading**
11. A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Erik Loomis, tenant and prospective purchaser, to operate a construction business with granite cutting, a cabinet fabrication shop and accessory indoor storage of construction materials, a U5 Commercial District permitted use, in a U4-Local Retail or Wholesale District and a U2- Family District, at 830 East 222nd Street, Euclid, Ohio, Permanent Parcel No. 641-26-004. Res. (075-14)

CEREMONIAL RESOLUTION

12. A resolution of appreciation to Euclid Cooperative Preschool in recognition of its 65th year of service to children and parents of the city and surrounding communities. (Sponsored by Mayor Cervenik and Entire Council) Res. (073-14)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Resolution No.

By – Mayor Cervenik

A resolution authorizing the Mayor of the City of Euclid or his designee to submit an application and enter into a contract, commencing January 1, 2015 through December 31, 2016, for funding of Community Social Services for seniors sixty (60) years of age and older from the Cuyahoga County Department of Senior and Adult Services (DSAS).

WHEREAS, DSAS is soliciting proposals from municipalities that provide Social Service Programs for seniors and “at risk” adults; and

WHEREAS, the funding of these programs will fill a gap in senior services by assisting older citizens in their efforts to live and function independently; and

WHEREAS, the City of Euclid successfully operated such senior services for DSAS in the first round of funding initiated in April 2006 and ending December 31, 2008, as well as the funding effective January 1, 2009 and ending December 31, 2010 and January 1, 2013 through December 31, 2014; and

WHEREAS, DSAS will provide reimbursable funding to providers of Community Social Services Programs for a twenty-four (24) month period commencing January 1, 2015 through December 31, 2016.

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 and directed to submit an application and enter into a contract, commencing January 1, 2015 through December 31, 2016, for funding of Community Social Services for seniors sixty (60) years of age and older from the Cuyahoga County Department of Senior and Adult Services (DSAS).

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 ordinance authorizing the Mayor of the City of Euclid to enter into an agreement to lease space at the Lakefront Community Center to the Help Foundation for a maximum ten (10) year period.

WHEREAS, the Help Foundation occupies space at the Lakefront Community Center under an agreement with the Cuyahoga County Board of Developmental Disabilities to provide adult programming activities; and

WHEREAS, the Help Foundation has completed the purchase of property at Century Corners and will be locating its administrative and service facilities to this location in the near future; and

WHEREAS, the City’s lease agreement with Cuyahoga County Board of Developmental Disabilities expires on June 30, 2014, and the Help Foundation has determined the space is well suited to its programming needs and provides significant interaction with the Senior Programs operating from the Lakefront Community Center; and

WHEREAS, the lease payment will be \$25,000 annually for the first five years and \$26,250 for the remaining five years and the provision of four shred containers at City municipal locations with collection as needed basis for the duration of the lease.

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 is hereby authorized to enter into an agreement to lease space at the Lakefront Community Center to the Help Foundation for a maximum ten (10) year period.

Section 2: That the lease agreement shall be in a form as approved by the Director of Law.

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 – Mayor Cervenik

An emergency ordinance authorizing the Administrative Director to enter into a 43 month agreement with Be Well Solutions, Solon, Ohio, to implement a comprehensive employee wellness program, commencing June 1, 2014, and expiring December 31, 2017, in an amount not to exceed \$49,000 annually.

WHEREAS, the City has created an employee centered Health Care Strategy Committee to address approaches to control health care costs and assist with implementation of health care reforms and the Affordable Healthcare Act; and

WHEREAS, a comprehensive wellness program provides a mechanism for employees to control portions of healthcare dealing with disease avoidance and prevention; and

WHEREAS, the proposal submitted by the physician owned and managed Be Well Solutions, would provide wellness programming and health screenings and provide for the establishment of individual goals and a personal health profile for up to 425 participating members at a monthly cost of \$1,920; and

WHEREAS, the proposal includes an analysis of aggregate risk factors along with recommendations provided to the Administration to address significant issues impacting health care costs; and

WHEREAS, the design plan of the City’s group healthcare plan would include a reduced premium for participants who meet healthcare metrics; and

WHEREAS, this ordinance is an emergency measure necessary for the orderly administration of a city department.

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

Section 1: That the Administrative Director is hereby authorized to enter into a 43 month contract with Be Well Solutions, Solon, Ohio, to implement a comprehensive employee wellness program, expiring on December 31, 2017, in an amount not to exceed \$49,000 annually.

Section 2: Funds to pay for this expenditure are to be derived from the General Fund and various other funds as are charged for employee healthcare expenses.

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 orderly administration of a city department 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

Ordinance No.

By – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into contracts with Rush Truck Centers, Cincinnati, Ohio, and Henderson Truck Equipment-Ohio, Bucyrus, Ohio, for the purchase of a 2015 International 7500 truck outfitted with a dump body and plow in the amount of \$149,510.

WHEREAS, the 2014 capital budget (41-2014) included the provision of a replacement truck for Streets; and

WHEREAS, the vehicle price is from the State of Ohio, Department of Transportation cooperative pricing schedule; and

WHEREAS, the vehicle and equipment will be financed through a municipal lease purchase, as determined by the Director of Finance.

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

Section 1: That the Director of Public Service is hereby authorized to enter into contracts with Rush Truck Centers, Cincinnati, Ohio, and Henderson Truck Equipment-Ohio, Bucyrus, Ohio, for the purchase of a 2015 International 7500 truck outfitted with a dump body and plow in the amount of \$149,510.

Section 2: That this purchase is made at pricing available through the State of Ohio Cooperative Purchasing Program and competitive bidding is therefore waived.

Section 3: Funds to pay for this expenditure are to be derived from a municipal lease/purchase agreement and appropriated from the General Permanent Improvement Fund.

Section 4: That the Director of Finance is authorized to obtain proposals for a municipal lease/purchase agreement with appropriate financial institutions.

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 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:

Effective:

Mayor

Ordinance No.
By – Mayor Cervenik

An ordinance repealing section 559.09 of Title 5, General Offenses Code and enacting a new section within Chapter 921 of the Streets, Utilities and Public Services Code of Title 9 of the Euclid Codified Ordinances providing for the curtailment of water usage during a stated water emergency.

WHEREAS, pursuant to the Water Service Agreement with the supplier of water to Euclid residents and businesses, the City of Euclid must adopt an ordinance providing for water use curtailment during a period of water shortage; and

WHEREAS, in compliance with the Water Service agreement between the City of Euclid and the City of Cleveland, the Mayor will receive notification from Cleveland when a water emergency exists that will include expected duration and affected areas; and

WHEREAS, upon notice, the Mayor is authorized to declare a water usage emergency during which period unnecessary water usage will be prohibited; and

WHEREAS, notice of curtailment will be publicized through available media outlets and through direct City communication; and

WHEREAS, the newly enacted Section 921.25 would replace in its entirety Section 559.09 of the General Offenses Code.

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

Section 1: That a new section 921.25, Curtailment of Water Use, be added to Sewers and Water Generally Chapter of the Streets, Utilities and Public Services section of the Euclid Codified Ordinances.

921.25 Curtailment of Water Use

Upon notice from the City of Cleveland, Division of Water of the Department of Public Utilities that a shortage of water supply exists which threatens the public health and safety and that the shortage makes it necessary to curtail water use within in all or any part of the City of Euclid, the Mayor shall proclaim a water use emergency throughout all or any part of the City.

A water use emergency proclamation shall specify:

- (a) the geographic area affected by the water use emergency;
- (b) the length of time the emergency shall be in effect which time shall not exceed seven (7) days; and
- (c) the degree of water use curtailment.

During water use emergency, the Mayor may order a water use curtailment by prohibiting unnecessary use or consumption of water during all or specified hours of the day and/or may order that specified premises curtail necessary use or consumption of water on specified days only as the Mayor shall determine to be necessary.

A proclamation of a water use emergency shall become effective at the time of issuance by the Mayor. Notice thereof shall be given by means used to provide notice of matters of important concern through electronic print.

As used in this section, unnecessary use or consumption means the use or consumption of water for purposes other than personal health, safety, sanitation and bodily consumption. “Unnecessary use or consumption” of waters includes but is not limited to sprinkling or watering lawns, other land irrigation, the washing of automobiles, house or other structures and the use of water for recreational purposes such as the maintenance of swimming pools. The use of water for private construction such as the mixing and curing of concrete, the puddling of backfill in excavations, the moistening of masonry walls preparatory to pointing or sealing, and other similar uses is not an unnecessary use or consumption of water. The use of water to scrub and rinse areas such as hard-surface drives, garage floors, patios and similar uses where necessary for the

purpose of sanitation and the protection of health is not an unnecessary use or consumption of water. The use of non-potable water for industrial or commercial purposes is not an unnecessary use or consumption of water.

No person or entity shall during a water use emergency use water in violation of the terms and conditions of the Mayor's water use emergency proclamation.

Whoever violates this ordinance is guilty of a minor misdemeanor and shall be fined not more than one hundred and fifty dollars (\$150.00). Whoever violates this ordinance having been previously convicted of a violation of this ordinance is guilty of a misdemeanor of the third-degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty (60) days, or both. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 2: That Section 559.09 of the General Offenses Code of the Codified Ordinances of the City of Euclid 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.

Sponsored by Mayor Cervenik

AN ORDINANCE AUTHORIZING THE PURCHASE OF A FEE SIMPLE INTEREST IN, OVER, AND UPON CERTAIN REAL PROPERTY WITHIN THE CITY OF EUCLID AND AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT THEREFORE, AND DECLARING AN EMERGENCY.

WHEREAS, 7-11 Inc. is the owner of real property being part of Original Euclid Township Lot No. 6, Tract 18 and in the City of Euclid, Ohio and fully described in the attached Exhibit "A"; and,

WHEREAS, 7-11, Inc. wishes to sell said real property to the City of Euclid, Ohio; and

WHEREAS, this Council hereby determines that it is in the best interest of the City of Euclid to purchase said real property in connection with the expansion of the City of Euclid's wastewater treatment facility.

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

SECTION 1. That the Mayor be and is hereby authorized to enter into a Purchase Agreement with 7-Eleven, Inc. for the purchase of a fee simple interest in the real property described in Exhibit "A" which is attached hereto and made a part hereof, and to execute any documents necessary to complete said sale.

SECTION 2. That the purchase price for said real property shall be Four Hundred Ninety-Five Thousand Dollars and 00/100 (\$495,000.00).

SECTION 3. That the Law Director be and is hereby authorized to prepare any documents to make the transfer of said real property possible and further to perform any other legal work necessary to effectuate the purchase of said real property.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that, except as otherwise provided by Section 121.22 of the Ohio Revised Code, 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.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of this city, and for the further reason that obtaining the aforesaid fee simple interest at the earliest possible time is essential to meet construction deadlines; WHEREFORE, this ordinance shall take effect and be in force from and immediately upon its adoption.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Exhibit "A"

PERMANENT PARCEL NO. 642-10-051
22311 Lakeshore Boulevard, Euclid, Ohio OWNER: 7-
Eleven, Inc.

SITUATED IN THE CITY OF EUCLID, COUNTY OF CUYAHOGA AND STATE OF OHIO, BEING A PART OF THE ORIGINAL EUCLID TOWNSHIP LOT NO. 6, TRACT 18, ALSO BEING A PARCEL OF LAND CONVEYED TO BP EXPLORATION & OIL INC. BY VOLUME 97-11853, PAGE 10, ALL REFERENCES BEING TO THE CUYAHOGA COUNTY RECORDER'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE, AT THE INTERSECTION OF THE ORIGINAL CENTER LINE OF LAKE SHORE BOULEVARD (ALSO KNOWN AS STATE ROUTE 283, BEING A PUBLIC ROADWAY, 80.00' WIDE) AND EAST 222 STREET;

THENCE ALONG SAID CENTER LINE NORTH 49° 22' 29" EAST A DISTANCE OF 296.79 FEET TO THE EASTERN MOST CORNER OF PARCEL 3 OF THE LANDS CONVEYED TO BP PRODUCTS NORTH AMERICA INC. BY DEED 200712130611;

THENCE ALONG THE EASTERLY LINE OF SAID BP PARCEL NORTH 40° 27' 32" WEST A DISTANCE OF 180.01 FEET TO AN IRON PIN FOUND AT THE SOUTHWESTERLY CORNER OF A 1.9824 ACRE PARCEL CONVEYED TO MUTUAL PROPERTIES 22401 BY DOCUMENT 10097, PAGE 34 (PASSING A MAGNETIC NAIL SET AT A DISTANCE OF 30.00 FEET AT THE NORTHWESTERLY RIGHT OF WAY OF SAID LAKE SHORE BOULEVARD);

THENCE ALONG THE SOUTHERLY LINE OF SAID 1.9824 ACRE PARCEL NORTH 49° 22' 29" EAST A DISTANCE OF 125.00 FEET TO A MAGNETIC NAIL SET AT A SOUTHERLY CORNER OF SAID 1.9824 ACRE PARCEL;

THENCE ALONG THE WESTERLY LINE OF SAID 1.9824 ACRE PARCEL SOUTH 40° 27' 32" EAST A DISTANCE OF 180.01 FEET TO THE ORIGINAL CENTER LINE OF SAID LAKE SHORE BOULEVARD (PASSING A MAGNETIC NAIL SET IN THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID LAKE SHORE BOULEVARD AT A DISTANCE OF 150.01);

THENCE ALONG SAID ORIGINAL CENTER LINE SOUTH 49° 22' 29" WEST A DISTANCE OF 125.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.5166 ACRES OF WHICH 0.086 ACRES IS LOCATED WITHIN SAID LAKE SHORE BOULEVARD RIGHT OF WAY.

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the continuation of the solid waste collection fee for residential accounts for the years 2015 and 2016.

WHEREAS, the City of Euclid wishes to maintain the highest level of public services to City residents and faces continued elimination of the estate tax and prior reduction in the state/local government funds, both due to state legislative action; and

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

WHEREAS, the Council of the City of Euclid has provided for the fee since 2010; and

WHEREAS, the Council has determined that provisions should be continued allowing for a reduced rate for senior and other persons based upon income qualifications; and

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

Section 1: That it has been determined that a portion of the cost of garbage, waste and refuse collection shall be borne by the property owner. The cost shall be nine dollars (\$9.00) per month and shall be assessed through the collection of property taxes as a special assessment for the years 2015 and 2016.

Section 2: That the fee shall be reduced to seven dollars (\$7.00) per month for seniors 65 years of age and older and permanently and/or totally disabled persons provided those individuals make an application to the Director of Public Service and demonstrate that their household income, inclusive of Social Security benefits, does not exceed \$31,000.00. Said application to be developed by the Director and shall include the requirement to provide a copy of the most recently filed federal income tax return.

Section 3: That the amount of said special assessments for each shall be certified by the Clerk of Council to the County Fiscal Officer or other designated Cuyahoga County Official as provided by law to be placed by said official upon the tax duplicate and collected as other taxes as part of the annual tax collections to be levied and collected in the same calendar year.

Section 4: That the Director of Law is authorized to take all steps permitted by law to collect delinquent fees.

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 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 – Mayor Cervenik

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

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

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

WHEREAS, the decisions made by the State Legislator and Governor to reduce the local government fund and estate tax provision threaten the ability of the City to maintain basic City services; and

WHEREAS, with the most recent real property valuation, the millage was increased to 1.42 mills to allow for the collection of the funds necessary to offset the expense of the street lighting; and

WHEREAS, 1.42 mills will continue to provide adequate revenue to cover the annual cost of street lighting.

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

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

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

Section 3: The cost of said improvement, namely the lighting of streets within the municipality, less two percent (2%) for the cost of intersections shall be assessed upon all of the lots and lands within this City which said lots and lands are hereby determined to be specifically benefited by said street lighting. Said assessment shall be levied at the rate of 1.42 mills annually. The cost of said improvement shall include the expense of the preliminary and other surveys and printing and publishing of notices, resolutions and ordinances required, and the serving of said notices, and the cost of construction, if any. No bond shall be issued in anticipation of the collection of said special assessments.

Section 4: The amount of said special assessments shall be certified by the Clerk of Council to the County Fiscal Officer, as provided by law, to be placed by the County Fiscal Officer upon the tax duplicate for 2014 and 2015 for collection as other taxes in 2015 and 2016.

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

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

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

Section 8: That this ordinance 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

Resolution No.

By: Councilpersons Caviness, Delaney, Gorshe, Langman, McLaughlin, and Scarniench

A resolution instructing the Administration to implement a hiring and promotional freeze for all departments funded by the General Fund, to be in effect from the date of passage of this resolution to December 31, 2014.

WHEREAS, departments that make up the General Fund have certain requests for increased expenditures; and

WHEREAS, the City of Euclid’s General Fund may be required to supplement capital spending; and

WHEREAS, to meet the competing demands on the General Fund, close monitoring of General Funds allocations are required; and

WHEREAS, the revenue streams of the General Fund must also be tracked closely in the coming months; and

WHEREAS, excluded from the hiring and promotional freeze is the hiring of seasonal employees, or replacements dues to resignation, retirement, and long-term disability, or currently budgeted positions.

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

Section 1: That the administration of the City of Euclid will implement a hiring and promotional freeze for General Fund Departments, to be in effect from the date of passage of this resolution to December 31, 2014.

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 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 – Councilperson Jones (by request)

An ordinance authorizing the Chief of Police of the City of Euclid to purchase five (5) in-car video/computer systems from L3 Mobile-Vision, Inc., 90 Fanny Road, Boonton, NJ 07005 in an amount not to exceed Forty Eight Thousand Dollars (\$48,000.00).

WHEREAS, the installation of video/computer systems in the police patrol cars provide improved safety for officers and the public in general and further provide invaluable evidence in impaired driving cases; and

WHEREAS, L3 Mobile-Vision, Inc., is able to offer pricing that is below state contracting prices; and

WHEREAS, upon vehicle delivery, the equipment will be installed under separate contract.

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

Section 1: That the Chief of Police is hereby authorized to purchase five (5) sets of video/computer equipment, in an amount not to exceed Forty Eight Thousand Dollars (\$48,000.00) from L3 Mobile-Vision, Inc.

Section 2: That L-3 Mobile-Vision, Inc. is approved as a vendor on the State of Ohio Department of Administrative Services state term schedule and the Council hereby waives competitive bidding on this purchase.

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

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

Section 5: That this ordinance 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

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 Erik Loomis, tenant and prospective purchaser, to operate a construction business with granite cutting, a cabinet fabrication shop and accessory indoor storage of construction materials, a U5 Commercial District permitted use, in a U4-Local Retail or Wholesale District and a U2- Family District, at 830 East 222nd Street, Euclid, Ohio, Permanent Parcel No. 641-26-004.

WHEREAS, at its meeting on May 13, 2014, the Planning and Zoning Commission approved a Use District Exception to Erik Loomis to operate a construction business with granite cutting, a cabinet fabrication shop and accessory indoor storage of construction materials with conditions, at 830 East 222nd Street, Euclid, Ohio; and

WHEREAS, the use district exception is approved with the following conditions; 1) use of an existing spray painting booth is to be discontinued immediately and removed from the building on Permanent Parcel No. 641-26-004; 2) Outdoor storage of equipment and materials accessory to the construction business will be discontinued and completely eliminated within six months of the effective date of this ordinance for the westerly open area of Permanent Parcel No. 641-26-004.

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 Erik Loomis, tenant and prospective purchaser, to operate a construction business with granite cutting, a cabinet fabrication shop and accessory indoor storage of construction materials, U5 Commercial District permitted uses, in a U4-Local Retail or Wholesale District and a U2- Family District, at 830 East 222nd Street, Euclid, Ohio, Permanent Parcel No. 641-26-004.

Section 2: That 1) Use of an existing spray painting booth is to be discontinued immediately and removed from the building on Permanent Parcel No. 641-26-004; 2) Outdoor storage of equipment and materials accessory to the construction business will be discontinued and completely eliminated within six months of the effective date of this ordinance for the westerly open area of Permanent Parcel No. 641-26-004.

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.

A resolution of appreciation to Euclid Cooperative Preschool in recognition of its 65th year of service to children and parents of the city and surrounding communities.

WHEREAS, cooperative preschools began in 1916 and have provided preschoolers and families with affordable quality programs by promoting parental involvement as a key component to academic achievement; and

WHEREAS, with the support of the Cleveland Day Nursery Association, the Euclid Cooperative Preschool was established and accepted its first student, Andrew Bass, in 1948; and

WHEREAS, under the direction of Marilyn Eckert, the Euclid Cooperative Preschool was accredited in 1993 by the National Association for the Education of Young Children; and

WHEREAS, in 2005, the Euclid Cooperative Preschool was one of the first Cuyahoga County preschools to receive an Ohio Step Up to Quality Star Rating and now holds the distinction of a 4 Star Rating by providing a low teacher to student ratio, highly qualified teachers and developmentally appropriate curriculum that is aligned with the Ohio Early Learning and Development Standards; and

WHEREAS, the Euclid Cooperative Preschool has served more than 1500 families in its first 65 years of dedicated education and child development; and

WHEREAS, the Euclid Cooperative Preschool has been hosted by Boulevard Presbyterian Church and is now located at the Church of the Epiphany.

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 congratulate the Euclid Cooperative Preschool, including the dedicated staff, volunteers and parents, for its exemplary success for its first 65 years 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, Councilpersons
Holzheimer Gail, Caviness, Delaney,
Gorshe, Jarosz, Jones, Langman,
McLaughlin, Scarniench

Attest

Clerk of Council

President of Council

Passed:

Approved:

Mayor