

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, June 1, 2015 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS: Liquor permit- 1080 E 260th St

COUNCIL MINUTES: May 4, 2015

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Police Report May 2015
Police Report March 2015
Board of Control: 5/11/2015

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

1. An emergency ordinance authorizing the Mayor of the City of Euclid, Ohio, or his designee, to enter into an Incentive Grant Agreement with Mechanical Dynamics & Analysis, Ltd. (hereinafter referred to as "MD&A") for a five (5) year period beginning in 2016 and ending in 2020. (Sponsored by Mayor Cervenik and Councilpersons Holzheimer Gail and Scarniench) Ord.
(090-15)

Comment: MD&A is a turbine repair and engineering firm that is interested in locating in a part of the former HC Starck building on E.222nd Street at Tungsten Road. The incentive grant relates to job creation and retention and is reviewed for compliance annually.

2. A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit a Nature Works Program Grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required twenty-five percent (25%) local matching funds for public improvements that increase public access to the lakefront. (Sponsored by Councilpersons Holzheimer Gail and Langman) Res.
(092-15)

Comment: Applications will be submitted to the State for two grants to assist in the waterfront plan implementation. Separate legislation will be necessary to accept and expend funds if the grant application is successful.

3. A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit a Land and Water Conservation Fund grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required fifty percent (50%) local matching funds for public improvements that increase public access to the lakefront. (Sponsored by Councilpersons Holzheimer Gail and Langman) Res. (093-15)

Comment: Applications will be submitted to the State for two grants to assist in the waterfront plan implementation. Separate legislation will be necessary to accept and expend funds if the grant application is successful.

4. An emergency ordinance amending Ordinance 69-2015 which make the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2015. (Sponsored by Mayor Cervenik by request of the Finance Director) Ord. (095-15)

Comment: Various amendments include appropriations of carry-over balances and grants received and for payment to Life Force Management for ambulance billing. Collections from Life Force are being remitted to the City without deduction for billing service fees and fees must be appropriated before payments can be made.

5. A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the International Association of Machinists and Aerospace Workers, Local 1363, as exclusive bargaining agent for Mechanic and Mechanic Helpers in the Department of Motor Maintenance, to be effective January 1, 2015 through December 31, 2017. (Sponsored by Mayor Cervenik) Res. (094-15)

Comment: A three year collective bargaining agreement with the City's Mechanics and Mechanic Helpers and follows the previously approved agreements with other City union groups.

6. An ordinance providing for the submission to the electorate of the City of Euclid, the question of whether Article X, Section 2, entitled Charter Review Commission shall be amended so as to require Euclid City Council to place on the ballot for the consideration by the electorate any proposed charter amendment(s) passed by the Charter Review Commission. (Sponsored by the Charter Review Commission) Ord. (87-15)

Comment: Proposed Charter change, if approved by the voters, would require that future Charter proposals recommended by the Charter Review Commission be automatically submitted for voter determination.

7. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into contract with Bob Russ Buick, 85 Loop Road, Centerville, Ohio 45459, for the purchase of a 2015 GMC Sierra – One Ton with Plow in an amount not to exceed \$47,000.00 for use in the Parks Department. (Sponsored by Councilperson McLaughlin by request of the Public Service Director) Ord. (088-15)

Comment: Part of the 2015 capital budget and purchased at state pricing.

8. A resolution authorizing the Director of Planning and Development of the City of Euclid to solicit statements of qualifications from interested firms for engineering, design and project management services for intersection and public space improvements at various locations on Euclid Avenue. (Sponsored by Councilpersons Caviness, Scarniench and Jones) Res. (091-15)

Comment: Professional service proposals are being sought for planned improvements involving the East 260th Street and Euclid Avenue intersection and electronic message board.

9. An emergency ordinance amending Ordinance 78-2015, which authorized the financing of a regenerative sweeper and camera truck through American Financial Network, Inc. to provide that funding will come from the Wastewater Equipment Replacement Fund. (Sponsored by Mayor Cervenik) Ord. (089-15)

Comment: Correction to Section 2 of Ordinance 78-2015 to identify City fund for lease expense.

10. An emergency ordinance authorizing the Director of Recreation to enter in a contract with Welmar Recreational Products, Guelph, Ontario, for the purchase and installation of Forum Pro dasher boards and the removal of existing dasher boards in an amount not to exceed \$125,000 as approved in the 2015 capital budget. (Sponsored by Mayor Cervenik) Ord. (096-15)

Comment: CE Orr dasher board replacement was included in the 2015 capital budget. Bid includes new boards and installation as well as removal of old boards.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Ordinance No.

By – Mayor Cervenik and Councilpersons Holzheimer Gail and Scarniench

An emergency ordinance authorizing the Mayor of the City of Euclid, Ohio, or his designee, to enter into an Incentive Grant Agreement with Mechanical Dynamics & Analysis, Ltd. (hereinafter referred to as “MD&A”) for a five (5) year period beginning in 2016 and ending in 2020.

WHEREAS, the Mayor of the City of Euclid, or his designee, shall be authorized, empowered and directed to execute an Incentive Grant Agreement with MD&A. Said Grant shall be paid to MD&A from City non-tax revenues, and shall be governed and calculated in accordance with an Agreement substantially in the form of “Exhibit A” attached and hereto incorporated; and

WHEREAS, the City is desirous of aiding MD&A with the relocation to and expansion within the City; and

WHEREAS, MD&A intends to lease a portion of the facility at 1250 E. 222th Street and will relocate and expand its operations to that facility provided that appropriate economic development incentives are made available to support the economic viability of said project; and

WHEREAS, the City is desirous of providing MD&A with financial assistance to help offset some of the costs of relocating its operations to the City; and

WHEREAS, the relocation of MD&A will result in \$500,000 in capital investment into the facility at 1250 East 222nd Street, Euclid and the initial addition to the City of at least 46 new full-time equivalent employment positions representing an annual payroll of over \$3,250,000; and

WHEREAS, the City has investigated the request of MD&A and has recommended the same to the City Council of the City of Euclid on the basis that MD&A is qualified to create and preserve employment opportunities and improve the economic climate of the City of Euclid; 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 enable the Agreement to be executed in a timely fashion consistent with the relocation needs of MD&A.

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, be and is hereby authorized, empowered and directed to execute an Incentive Grant Agreement with MD&A for a five (5) year period beginning in 2016 and ending in 2020. Said Grant shall be paid to MD&A from City non-tax revenues, and shall be governed and calculated as determined in an Agreement substantially in the form on file with Clerk of Council and as determined by the Director of Law.

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 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 3: 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 to enable the Agreement to be executed in a timely fashion consistent with the relocation needs of MD&A and, provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

Passed:

President of Council

Approved:

Mayor

EXHIBIT A

City of Euclid INCENTIVE GRANT AGREEMENT

This Agreement, made and entered into this _____ day of _____, by and between the City of Euclid, Ohio, a municipal corporation (hereinafter referred to as "City"), and Mechanical Dynamics & Analysis, Ltd. (hereinafter referred to as "MD&A").

WITNESSETH

WHEREAS, the City is desirous of aiding MD&A with the relocation to and expansion within the City; and

WHEREAS, MD&A has entered into a lease for the rental of a portion of the facility at 1250 E. 222nd Street, Euclid, Ohio for a period of ten years and will locate certain portions of its operations to that facility (hereinafter referred to as "Project") provided that appropriate economic development incentives are made available to support the economic viability of said Project; and

WHEREAS, the City is desirous of providing MD&A with financial incentives to help offset the costs of improving a portion of the facility at 1250 E. 222nd Street, Euclid, Ohio and relocating and expanding its operations within the City of Euclid at the Project site; and

WHEREAS, MD&A is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City of Euclid; and

WHEREAS, the Council, by Ordinance Number _____ passed on the 1st day of June, 2015, has consented to the Incentive Grant to MD&A to offset the costs of improving a portion of the facility at 1250 E. 222nd Street, Euclid, Ohio and relocating and expanding its operations at the Project site.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

Section 1: That any obligation of the City created by or arising out of this Agreement and the Project shall not be a general debt on its part nor give rise to any pecuniary liability of the City, but shall be payable solely from non-tax revenues.

Section 2: The Project shall involve MD&A leasing a portion of a new facility at 1250 E. 222nd Street, Euclid, Ohio for a minimum period of ten (10) years, inclusive of the term of the annual incentive grant. Associated with the lease will be the relocation and expansion of the operations of MD&A.

Section 3: In consideration of the implementation and operation of the Project, the City of Euclid shall provide to MD&A an incentive grant on or before April 15th of each year for a period of five years beginning in 2017 and ending in 2021.

Section 4: MD&A shall maintain a minimum base Yearly Gross Payroll (YGP) of Three Million Two Hundred Fifty Thousand Dollars in the City of Euclid.

Section 5: The minimum base Yearly Gross Payroll (YGP) of Three Million Two Hundred Fifty Thousand Dollars and its corresponding Yearly Payroll Withholding Tax (YPWT) shall be used as the base amounts in determining the increase in Payroll Withholding Tax (PWT) for the purpose of the yearly Incentive Grant. The term of the grants shall be from Fiscal Year 2015 through Fiscal Year 2020.

Section 6: The yearly Incentive Grant shall be paid to MD&A from City non-tax revenues and shall be governed and calculated as follows:

ANNUAL 20% GRANT BASED ON YEARLY PAYROLL WITHHOLDING TAX (YPWT)

For each year that MD&A's Yearly Gross Payroll (YGP) and Yearly Payroll Withholding Tax (YPWT) in the City of Euclid meets or exceeds the YGP base of \$3,250,000.00 and the associated YPWT, as determined by both the City and MD&A, the City shall grant to MD&A a sum equal to 20% of the total YPWT during the years 2016 to 2020. The following is an example of calculations necessary to determine the Grant amount:

Resolution No.

By: Mayor Cervenik, Council President Holzheimer Gail and Councilperson Langman

A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit a Nature Works Program Grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required twenty-five percent (25%) local matching funds for public improvements that increase public access to the lakefront.

WHEREAS, the State of Ohio through the Department of Natural Resources, administers financial assistance for public recreation purposes, through the state of Ohio Nature Works Program; and

WHEREAS, the City of Euclid desires financial assistance under the Nature Works Program; and

WHEREAS, in December of 2009 Euclid City Council unanimously adopted the Euclid Waterfront Improvements Plan as an official addendum to the City's Master Plan; and

WHEREAS, funding available through the Ohio Nature Works Program would be used to implement the Plan recommendations for public improvements that increase public access to the lakefront.

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

Section 1: That this Council authorizes the Mayor or his designee to execute and submit a Nature Works Program grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required twenty-five percent (25%) local matching funds for public improvements that increase public access to the lakefront.

Section 2: That funds to pay for the twenty-five percent (25%) match will be derived from the 2014 State of Ohio Capital Grant and/or TIF funds.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were, in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By: Mayor Cervenik, Council President Holzheimer Gail and Councilperson Langman

A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit a Land and Water Conservation Fund grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required fifty percent (50%) local matching funds for public improvements that increase public access to the lakefront.

WHEREAS, the State of Ohio through the Department of Natural Resources, administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund program; and

WHEREAS, the City of Euclid desires financial assistance under the Land and Water Conservation Fund; and

WHEREAS, in December of 2009 Euclid City Council unanimously adopted the Euclid Waterfront Improvements Plan as an official addendum to the City's Master Plan; and

WHEREAS, funding available through the Land and Water Conservation Fund would be used to implement the Plan recommendations for land and water conservation activities and public improvements that increase public access to the lakefront.

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

Section 1: That this Council authorizes the Mayor or his designee to execute and submit a Land and Water Conservation Fund grant application with the Ohio Department of Natural Resources for a reimbursable grant in an amount up to One Hundred Thousand and 00/100 Dollars (\$100,000.00) and to provide the required fifty percent (50%) local matching funds for land and water conservation activities and public improvements that increase public access to the lakefront.

Section 2: That funds to pay for the fifty percent (50%) match will be derived from the 2014 State of Ohio Capital Grant and/or TIF Funds.

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

FUND #	FUND NAME	PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
210	STATE HIGHWAY IMPROVEMENT	0	106,787	106,787
211	INDIGENT DRIVER	0	16,490	16,490
212	COURT COMPUTERIZATION	33,481	87,819	121,300
213	SPECIAL PROJECTS	120,755	17,700	138,455
214	ANIMAL SHELTER	65,617	17,900	83,517
216	NUISANCE ABATEMENT TRANSFER TO GENERAL FUND	0	102,500 65,000	
	TOTAL NUISANCE ABATEMENT FUND			167,500
217	IND DRIVERS INTERLOCK & ALCOHOL MONITORING	0	5,645	5,645
220	STREET CONSTRUCTION, MAINT. & REPAIR	1,246,959	654,909	1,901,868
230	COMMUNITY TELEVISION	79,522	5,730	85,252
240	RECREATION OPERATING	479,577	393,275	872,852
250	COMMUNITY DEVELOPMENT BLOCK GRANT	659,676	983,792	1,643,468
252	NEIGHBORHOOD STABILIZATION PROGRAM	56,637	516,474	573,111
255	OTHER GRANTS	100,847	3,417,968	3,518,815
257	FEMA GRANT TRANSFER TO GENERAL FUND	0	0 0	
	TOTAL FEMA GRANT			0
280	LAW ENFORCEMENT TRUST	25,250	67,328	92,578
290	SHORE CORPORATION	0	257,500	257,500
291	UNCLAIMED MONIES TRANSFER TO GENERAL FUND	0	5,000 0	
	TOTAL UNCLAIMED MONIES			5,000
310	GENERAL PERMANENT IMPROVEMENT	0	1,822,037	1,822,037
320	RECREATION CAPITAL	77,027	244,857	321,884
330	SIDEWALK REPAIR & REPLACEMENT	0	0	0
350	PUBLIC BUILDING CONSTRUCTION	0	0	0
370	EUCLID ENDOWMENT TRANSFER TO SHORE CORP FUND	0	3,125 30,000	
	TOTAL EUCLID ENDOWMENT FUND			33,125
380	SIMS PARK	0	77,510	77,510
391	BENNINGTON HAMLET T.I.F.	0	77,540	77,540
393	CMP PROPERTIES T.I.F.	0	250,000	250,000
394	HARBOR TOWN T.I.F.	0	453,328	453,328
395	DOWNTOWN DISTRICT-A T.I.F.	0	260,000	260,000
410	BOND RETIREMENT	51,735	8,278,131	8,329,866
510	WASTE WATER TREATMENT OPERATIONS TRANSFER TO CREEKS & SEWERS TRANSFER TO EQUIP. REPLACEMENT	4,082,142	13,459,217 995,000 500,000	
	TOTAL WASTE WATER TREATMENT FUND			19,036,359
511	W.W.T. EQUIPMENT REPLACEMENT	0	817,100	817,100
512	CREEKS & SEWERS	896,254	142,082	1,038,336

FUND #	FUND NAME	PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
513	TWO MILL SEWER LEVY			
	ADMINISTRATION	0	0	
	TRANSFER TO CREEKS & SEWERS		0	
	TOTAL TWO MILL SEWER LEVY			0
515	PETERSON TRUNK LINE	0	6,770,472	
	TRANSFER TO WWT FUND		0	
	TOTAL PETERSON TRUNK LINE FUND			6,770,472
516	WATER LINE IMPROVEMENT	0	3,487,068	
	TRANSFER TO PETERSON TRUNK LINE FUND		0	
	TOTAL WATER LINE IMPROVEMENT FUND			3,487,068
560	BRIARDALE GOLF COURSE	0	377	377
610	WORKERS COMP RESERVE	0	0	0
630	SELF INSURANCE	0	150,000	150,000
730	RETIRES INSURANCE PAYMENTS	13,800	0	13,800
740	BUILDING DEPOSITS	0	52,838	52,838
750	STREET OPENING	0	15,000	15,000

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, 257-FEMA FUND (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 :

Resolution No.

By – Mayor Cervenik

A resolution authorizing the Mayor of the City of Euclid to execute an Agreement by and between the City of Euclid and the International Association of Machinists and Aerospace Workers, Local 1363, as exclusive bargaining agent for Mechanic and Mechanic Helpers in the Department of Motor Maintenance, to be effective January 1, 2015 through December 31, 2017.

WHEREAS, pursuant to Ohio Revised Code Chapter 4117, negotiations were held between the City of Euclid and the International Association of Machinists and Aerospace Workers, Local 1363 to determine equitable compensation, benefits, working hours, and other employment matters for Mechanics and Mechanic Helpers in the Department of Motor Maintenance; and

WHEREAS, the terms of the new contract include a one and one-half percent (1½%) hourly rate increase for the period of January 1, 2015, through December 31, 2015 with two \$.40 per hour equity adjustments for the Mechanics classification; a two percent (2%) increase effective January 1, 2016; and a two percent (2%) increase effective January 1, 2017; and

WHEREAS, the tool allowances for Mechanics classification will be increased to \$1400 for 2015, \$1500 for 2016, and \$1600 for 2017; and

WHEREAS, employee will participate in the comprehensive health care and wellness plan with employee premiums effective April 1, 2015;

WHEREAS, the terms and conditions of the Agreement have been ratified by the members of the collective bargaining unit.

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 be, and he is hereby authorized, empowered and directed to execute an Agreement by and between the City of Euclid and the International Association of Machinists and Aerospace Workers, Local 1363, as exclusive bargaining agent for Mechanics and Mechanic Helpers in the Department of Motor Maintenance, effective January 1, 2015 through December 31, 2017.

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

(____ -15)

Ordinance No.

By – Charter Review Commission

An ordinance providing for the submission to the electorate of the City of Euclid, the question of whether Article X, Section 2, entitled Charter Review Commission shall be amended so as to require Euclid City Council to place on the ballot for the consideration by the electorate any proposed charter amendment(s) passed by the Charter Review Commission.

WHEREAS, the Charter Review Commission has considered the present methods of forwarding proposed charter amendments to the ballot for consideration by the electorate of the City of Euclid; and

WHEREAS, the Charter of the City of Euclid as presently written allows for Council discretion in whether to forward to the ballot for the consideration of the electorate any proposed charter amendments that have been duly passed by the Charter Review Commission; 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 municipal department; and

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

Section 1: That pursuant to the requirements of Article X, Section 1 of the Charter of the City of Euclid, the Council hereby authorizes the submission to the electors of the City of Euclid at an election to be held on November 3, 2015, at the usual place of voting of a proposed amendment to the Charter of the City of Euclid amending Article X, Section 2 to read as follows:

ARTICLE X AMENDMENTS TO THE CHARTER

SECTION 2. CHARTER REVIEW COMMISSION

Within one month after the regular general election held in the year 1990, and within thirty (30) days after the regular general election to be held each eighth year thereafter, the Mayor shall appoint five (5) members and the Council shall appoint four (4) members to a commission of nine (9) qualified electors of the City of Euclid to be known as a Charter Commission. Should a vacancy occur, the Mayor should appoint a replacement member if vacancy was from the Mayor appointees. Council shall follow the same procedure in appointments of replacements. Vacancies should be filled within thirty (30) days of notice of resignation or vacancy. Should a vacant position remain unfilled or initial appointments not made with the timelines contained in this section, then the vacancy shall be filled by appointment by the other appointing authority.

Said Commissioners shall serve a term not to exceed two (2) years beginning on the date of appointment, or until two-thirds of the members of the Commission vote to adjourn sine die. Such Commission shall review and **recommend forward** to the Council of the City any alterations, revisions, and amendments to the Charter as in its judgment seem desirable. The Council shall **thereafter** submit to the electors any such proposed alterations, revisions or amendments **to the Charter, in a manner provided in Section 1 of this Article.**

Section 2: That the ballot for said election shall at the top thereof, be entitled:

CHARTER AMENDMENT
OF
THE CITY OF EUCLID

And the question shall be submitted on said ballot in the words as follows:

“Shall Article X, Section 2 of the Charter of the City of Euclid be amended so that the Euclid City Council shall be required to forward to the ballot for the consideration of the electorate any proposed charter amendments that have been duly passed by the Charter Review Commission;” and to read as follows:

Within one month after the regular general election held in the year 1990, and within thirty (30) days after the regular general election to be held each eighth year thereafter, the Mayor shall appoint five (5) members and the Council shall appoint four (4) members to a commission of nine (9) qualified electors of the City of Euclid to be known as a Charter Commission. Should a vacancy occur, the Mayor should appoint a replacement member if vacancy was from the Mayor appointees. Council shall follow the same procedure in appointments of replacements. Vacancies should be filled within thirty (30) days of notice of resignation or vacancy. Should a vacant position remain unfilled or initial appointments not made with the timelines contained in this section, then the vacancy shall be filled by appointment by the other appointing authority.

Said Commissioners shall serve a term not to exceed two (2) years beginning on the date of appointment, or until two-thirds of the members of the Commission vote to adjourn sine die. Such Commission shall review and forward to the Council of the City any alterations, revisions, and amendments to the Charter as in its judgment seem desirable. The Council shall thereafter submit to the electors any such proposed alterations, revisions or amendments.

Section 3: That the Director of Law for the City of Euclid is hereby authorized to review the wording of the proposed Charter amendment as well as ballot language with appropriate election officials and to revise the language as necessary to comply with any applicable legal requirements so long as the intent of the amendment is not changed.

Section 4: That the Clerk of Council shall cause the full text of the Charter amendment to be published once a week for not less than two consecutive weeks in a newspaper published in the municipal corporation, with the first publication being at least fifteen days prior to the election at which the amendment is to be submitted to the electors. If no newspaper is published in the municipal corporation, then such publication shall be made in a newspaper of general circulation within the municipal corporation.

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 the Clerk of Council be, and she is hereby authorized and directed to certify to the election authorities described by general law a duly authorized copy of this ordinance forthwith upon its passage.

Section 7: That this ordinance is declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all members elected to Council, shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

Passed:

Effective:

President of Council

Approved:

Mayor

Ordinance No.

By – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into contract with Bob Russ Buick, 85 Loop Road, Centerville, Ohio 45459, for the purchase of a 2015 GMC Sierra – One Ton with Plow in an amount not to exceed \$47,000.00 for use in the Parks Department.

WHEREAS, the 2015 capital budget included the provision for the purchase of a one ton truck with plow; and

WHEREAS, the vehicle prices are from the State of Ohio, Department of Transportation cooperative pricing schedule; and

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

Section 1: That the Director of Public Service is hereby authorized to enter into contract with Bob Russ Buick, 85 Loop Road, Centerville, Ohio 45459, for the purchase of a 2015 GMC Sierra – One Ton with Plow in an amount not to exceed \$47,000.00 for use in the Parks Department.

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 the General Permanent Improvement Fund.

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

Section 5: That this ordinance 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

Resolution No.

By – Councilpersons Caviness, Scarniench and Jones (by request)

A resolution authorizing the Director of Planning and Development of the City of Euclid to solicit statements of qualifications from interested firms for engineering, design and project management services for intersection and public space improvements at various locations on Euclid Avenue.

WHEREAS, the conceptual Euclid Avenue Corridor Transportation for Livable Communities Initiative (TLCI) Plan, entitled “Destination Euclid: The Euclid Avenue Recreationway Corridor” Plan, dated December, 2013, was approved and accepted by Euclid City Council through Resolution Number 143-2013; and

WHEREAS, the Euclid Avenue Recreationway Corridor Plan established recommendations to improve the transportation system, enhance the appearance and support redevelopment in the Euclid Avenue corridor area; and

WHEREAS, the City of Euclid seeks engineering, design and project management services necessary to implement specific improvements proposed in the Euclid Avenue Recreationway Corridor Plan, including the installation of a community message board, and the modification of the intersection of Euclid Avenue and Richmond Road; and

WHEREAS, firms will be evaluated and selected based upon qualifications. Fee and billing rates will be negotiated following the identification of a preferred firm. In the event terms cannot be met, negotiations with the next qualified firm will take place.

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

Section 1: That the Director of Planning and Development is hereby authorized to solicit statements of qualifications from interested firms for engineering, design and project management services for intersection and public space improvements at various locations on Euclid Avenue.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Cervenik

An emergency ordinance amending Ordinance 78-2015, which authorized the financing of a regenerative sweeper and camera truck through American Financial Network, Inc. to provide that funding will come from the Wastewater Equipment Replacement Fund.

WHEREAS, Ordinance 78-2015 provided that funds for the financing of the regenerative sweeper and camera truck through American Financial Network, Inc., were to be derived from the General Permanent Improvement Fund; and

WHEREAS, the 2015 Capital Budget requires the funding of the regenerative sweeper and camera truck come out of the Wastewater Equipment Replacement Fund not the General Permanent Improvement Fund; and

WHEREAS, the matter of this ordinance constitutes an emergency providing for the orderly conduct of the affairs of a municipal department.

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

Section 1: That Ordinance 78-2015 is hereby amended to reflect that funds for the regenerative sweeper and camera truck shall be derived from the Wastewater Equipment Replacement Fund.

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 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 it passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Cervenik

An emergency ordinance authorizing the Director of Recreation to enter in a contract with Welmar Recreational Products, Guelph, Ontario, for the purchase and installation of Forum Pro dasher boards and the removal of existing dasher boards in an amount not to exceed \$125,000 as approved in the 2015 capital budget.

WHEREAS, the 2015 capital budget included \$125,000 for the removal and installation of new dasher boards at the CE Orr Ice Arena; and

WHEREAS, the City obtained two quotes for the replacement equipment and installation with the quote from Welmar Recreational Products, Guelph, Ontario, being the lowest and best bid; and

WHEREAS, the quote is good for a period of 30 days commencing May 28, 2015, therefore the matter is an emergency necessary for preservation of public funds and benefit of the residents of the City.

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

Section 1. The Director of Recreation is hereby authorized to enter into a contract with Welmar Recreational Products, Guelph, Ontario, for the purchase and installation of Forum Pro dasher boards and the removal of existing dasher boards in an amount not to exceed \$125,000.

Section 2: That funds for this purchase be derived from the Recreation Capital Fund.

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 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 it 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