

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, OCTOBER 5, 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 – 25831 Euclid Avenue

COUNCIL MINUTES: Special Council Minutes August 17, 2015; September 8, 2015

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Board of Control: 9/14/15; 9/21/15
Finance Report:

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

- | | | |
|--|---|------------------|
| Second Reading | 1. A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Iran Doss, Administrator, Get Ready Set Grow Preschool LLC, the applicant, to permit a day care in a tenant space of an office building located at 26191 Brush Avenue, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 648-23-049. (Sponsored by Planning and Zoning with recommendation for passage) | Res.
(144-15) |
| Third Reading | 2. A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Allison Stewart, the applicant, to permit a hair salon in a ground floor tenant space of an office building located at 25701 Lakeland Boulevard, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 643-25-010. (Sponsored by Planning and Zoning with recommendation for passage) | Res.
(126-15) |
| Third Reading Public Hearing October 19, 2015 | 3. An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates U3, U4 and U6 use districts relative to said property. (Sponsored by Planning and Zoning with recommendation for passage) | Ord.
(128-15) |
| | 4. A resolution authorizing the Mayor to enter into a renewal of the agreement with Cuyahoga County maintaining the Cuyahoga County Business Attraction and Anti-Poaching Protocol. (Sponsored by Mayor Cervenik) | Res.
(147-15) |
| | Comment: Agreement is unchanged from the existing agreement, now expired, but with a new provision that allows the agreement to continue unless the county or one or more of the communities determines to withdraw. | |
| | 5. A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit an application to the Cuyahoga County Department of Development's 2015 Master Plan Program for the development of a compressive community plan for the City of Euclid. (Sponsored by Mayor Cervenik) | Res.
(149-15) |

Comment: Grant application, if received, would allow the City, with community input, to update or revise its master plan for review by Planning & Zoning and City Council.

6. An emergency ordinance authorizing the Mayor of the City of Euclid to execute all documents necessary to grant easements to the City of Cleveland, for the purpose of installing a water meter vault for the Cleveland Water District within the area designated for the Wastewater Treatment Plant upgrades as a necessary part of the construction process. (Sponsored by Mayor Cervenik) Ord. (148-15)

Comment: A new water line is required for the Wastewater Treatment facilities and Cleveland Water will install a new meter for which the vault easement is required.

7. An ordinance authorizing the Mayor or his designee to prepare and file a loan application and enter into a cooperative loan agreement between the City of Euclid and the Ohio Water Development Authority (OWDA) necessary for planning/design of the Brandywine SSO Elimination Project; to authorize the Mayor or his designee to enter into a contract with Chagrin Valley Engineering, Ltd., Cleveland, Ohio, 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the planning and/or design and construction services for the Brandywine SSO Elimination Project; to authorize the Mayor or his designee 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 the construction of the Brandywine SSO Elimination Project; designating dedicated repayment sources for the loans; and declaring an emergency. (Sponsored by Mayor Cervenik) Ord. (150-15)

Comment: The upgrade to the Brandywine pump station will eliminate sanitary sewer overflows into Euclid Creek.

8. An ordinance authorizing the mayor or his designee to prepare and file a loan application and enter into a cooperative loan agreement between the City of Euclid and the Ohio Water Development Authority (OWDA) Necessary For Planning/Design Of The East 219th/East 221st I & I Reduction Sanitary Sewer Project; to authorize the Mayor or his designee to enter into a contract with Chagrin Valley Engineering, Cleveland, Ohio, 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the planning and/or design and construction services for the East 219th/East 221st I & I Reduction Sanitary Sewer Project; to authorize the Mayor or his designee 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 the construction of the East 219th/East 221st I & I Reduction Sanitary Sewer Project; designating dedicated repayment sources for the loans; and declaring an emergency. Ord. (151-15)

Comment: East 219 and East 221, north of Euclid Avenue is an area identified as having significant storm water infiltration into the sanitary system. Upgrade will reduce incidents of sewer back-ups.

CEREMONIAL RESOLUTIONS

9. A resolution of congratulations for the Euclid Public Library, in recognition of its 80 years of success and meaningful contributions to the Euclid community. (Sponsored by Mayor Cervenik and All Members of Council) Res. (146-15)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

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 Iran Doss, Administrator, Get Ready Set Grow Preschool LLC, the applicant, to permit a day care in a tenant space of an office building located at 26191 Brush Avenue, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 648-23-049.

WHEREAS, at its meeting on September 15, 2015, the Planning and Zoning Commission approved a Use District Exception to Iran Doss to permit a day care in an office building located at 26191 Brush Avenue; and

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

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

Section 1: That a Use District Exception is hereby granted, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Iran Doss, the applicant, to permit a day care in a tenant space of an office building located at 26191 Brush Avenue, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 648-23-049.

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

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By – 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 Allison Stewart, the applicant, to permit a hair salon in a ground floor tenant space of an office building located at 25701 Lakeland Boulevard, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 643-25-010.

WHEREAS, at its meeting on June 9, 2015, the Planning and Zoning Commission approved a Use District Exception to Allison Stewart to permit a hair salon in a ground floor tenant space of an office building located at 25701 Lakeland Boulevard; and

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

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

Section 1: That a Use District Exception is hereby granted, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Allison Stewart, the applicant, to permit a hair salon in a ground floor tenant space of an office building located at 25701 Lakeland Boulevard, Euclid, Ohio, a U8-Office Building District, Permanent Parcel No. 643-25-010.

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 - Planning and Zoning Commission

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates U3, U4 and U6 use districts relative to said property.

WHEREAS, public notice and hearings have been given in connection with the changing of U3, U4 and U6 use districts relative to the hereinafter described property as is established by Ordinance No. 2812, as passed by the Council of the Village of Euclid on the 13th day of December, 1922, which ordinance has from time to time been amended; and

WHEREAS, the amendment of said Ordinance No. 2812, which pertains to the hereinafter described property, by transferring said property from U3 and U4 use districts to U6 use district, has been referred to the City Planning and Zoning Commission; and

WHEREAS, the City Planning and Zoning Commission has considered such amendment and proposed change at its regularly scheduled meeting on August 11, 2015, which will add to the present U6 use district by inclusion of the property hereinafter described, and has recommended approval to Council; and

WHEREAS, in the interest of the general welfare of the City of Euclid and in order to promote the general advantage of public peace, safety, morals, convenience and prosperity of the inhabitants of the City of Euclid, this Council is of the opinion that the U-6 use district should be extended to include the property hereinafter described.

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

Section 1: That the following property:

PP# 646-01-001 through 646-01-008, 028

Situated in the City of Euclid, County of Cuyahoga, and State of Ohio and known as being parts of Sublots No. 10 (proposed) through Sublot No. 13 (proposed) inclusive and all as Sublots No. 14 (proposed) through Sublot No. 20 (proposed) inclusive in the Joseph Laronge Company's St. Clair City Farms Subdivison (not recorded) of part of Original Euclid Township Tract No. 14 and is bounded and described as follows:

Beginning in the southerly line of St. Clair Avenue, 60 feet in width, at a point located South 51°53' West a distance of 422.74 feet as measured along said southerly line of St. Clair Avenue from its intersection with the westerly line of East 200th Street (formerly Cut Road), 60 feet in width, said point of beginning being the northeasterly corner of land (PPN 646-01-008) conveyed to Martin M. Lisac by instrument dated December 30, 2002 and recorded in AFN 200212301418 of Cuyahoga County Records;

Thence South 38°07' East along the easterly line of said land of Lisac, the same being the easterly line said Sublot No. 20 (proposed), a distance of 205.61 feet to the southeasterly corner of the same;

Thence South 25°56'45" West along the southerly line of said land of Lisac and along the extension of the same a distance of 250.2 feet to the southeasterly corner of Parcel No. 2 (PPN 646-01-003) of lands conveyed to Euclid Properties, LLC by instrument dated July 29, 2013 and recorded in AFN 201307290815 of Cuyahoga County Records, the same being the southeasterly corner of Sublot No. 15 (proposed);

Thence South 1°30'35" West along the rear line of said land of Euclid Properties, LLC and along the rear line of Parcel No. 1 (PPN 646-01-002) of lands so conveyed a distance of 108.3 feet to an angle therein;

Thence South 70°34' West continuing along the rear line of said Parcel No. 1 of lands of Euclid Properties, LLC and along its extension westerly a distance of 212.08 feet to the southwesterly corner of land (PPN 646-01-028) conveyed to Del Brocco Sewer, Inc. by instrument dated January 30, 2002 and recorded in AFN 200201300366 of Cuyahoga County records, the being the southwesterly corner of Sublot No. 10 (proposed);

Thence 38°07' West along the westerly line of said land of Del Brocco Sewer, Inc., the same being the westerly line of said Sublot No. 10 (proposed), to its intersection with the municipal corporation line between the City of Euclid and the City of Cleveland;

Thence northerly, along said municipal corporation line between the City of Euclid and the City of Cleveland to its intersection with the aforesaid southerly line of St. Clair Avenue;

Thence North 51°53' East along said southerly line of St. Clair Avenue to the point of beginning.

Section 2: That so much of Section 1 of Ordinance No. 2812, as amended, as relates to the U6 use district shall be extended to include the territory described in Section 1 hereinabove.

Section 3: That the map as adopted December 13, 1922 and as thereafter amended, is hereby amended to conform with the change of property described in Section 1 of the ordinance from U3 and U4 use districts to U6 use district.

Section 4: That so much of Ordinance No. 2812, as amended, and the map and map designations as placed the above described property in U3 and U4 use districts, is hereby repealed.

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By – Mayor Cervenik

A resolution authorizing the Mayor to enter into a renewal of the agreement with Cuyahoga County maintaining the Cuyahoga County Business Attraction and Anti-Poaching Protocol.

WHEREAS, the communities of Cuyahoga County want to encourage businesses to locate within their boundaries, however, they prefer not to do so at the expense of their neighbors; and

WHEREAS, the City of Euclid entered into the initial agreement with Cuyahoga County in 2011, Ordinance 150-2011, and the initial agreement has expired; and

WHEREAS, the proposed revised agreement will continue by its terms unless a community elects to discontinue participation or the participating communities agree to terminate by mutual consent; and

WHEREAS, the Cuyahoga County Business Attraction and Anti-Poaching Protocol expresses the commitment of the participating communities to refrain from pursuing or encouraging the re-location of a business that has not indicated that it is considering a move from its current location to another participating community; and

WHEREAS, the City of Euclid supports the County's efforts to promote regional collaboration for economic development as embodied in the Cuyahoga County Business Attraction and Anti-Poaching Protocol.

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

Section 1: That the Mayor is hereby authorized to enter into the agreement (attached and incorporated herein as fully written as "Exhibit A") with Cuyahoga County.

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

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By: Mayor Cervenik

A resolution authorizing the Mayor of the City of Euclid or his designee to execute and submit an application to the Cuyahoga County Department of Development's 2015 Master Plan Program for the development of a compressive community plan for the City of Euclid.

WHEREAS, the City of Euclid is eligible to submit an application to the Cuyahoga County Department of Development's 2015 Master Plan Program; and

WHEREAS, the 2015 Master Plan Program will provide selected communities with the planning services of the Cuyahoga County Planning Commission for the development of comprehensive community master plans; and

WHEREAS, the community planning process is an opportunity to develop a common understanding of the current conditions and a shared vision for the future growth and prosperity of a community; and

WHEREAS, the last comprehensive community plan for the City of Euclid was completed and adopted in 1996.

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 2015 Master Plan Program application with the Cuyahoga County Department of Development for the development of a comprehensive community plan for the City of Euclid.

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

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By: Mayor Cervenik

An emergency ordinance authorizing the Mayor of the City of Euclid to execute all documents necessary to grant easements to the City of Cleveland, for the purpose of installing a water meter vault for the Cleveland Water District within the area designated for the Wastewater Treatment Plant upgrades as a necessary part of the construction process.

WHEREAS, an easement for a water meter vault, approximately 1,050 sq. ft., is described and depicted in the attachments; and

WHEREAS, a new water service line is being installed for the Wastewater Treatment Plant; and

WHEREAS, the enactment of the legislation is deemed to be an emergency in that the relocation of the equipment and lines is necessary to allow for the timely commencement of excavation for the headworks project.

Now, therefore, be it ordained by the Council of the City of Euclid that:

Section 1: That the Mayor of the City of Euclid is hereby authorized to execute all documents necessary to grant easements to the City of Cleveland, for the purpose of installing a water meter vault for the Cleveland Water District within the area designated for the Wastewater Treatment Plant upgrades as a necessary part of the construction process.

Section 2: That the easements be substantially in form as approved by the Director of Law and attached hereto.

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 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 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

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the Mayor or his designee to prepare and file a loan application and enter into a cooperative loan agreement between the City of Euclid and the Ohio Water Development Authority (OWDA) necessary for planning/design of the Brandywine SSO Elimination Project; to authorize the Mayor or his designee to enter into a contract with Chagrin Valley Engineering, Ltd., Cleveland, Ohio, 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the planning and/or design and construction services for the Brandywine SSO Elimination Project; to authorize the Mayor or his designee 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 the construction of the Brandywine SSO Elimination Project; designating dedicated repayment sources for the loans; and declaring an emergency.

WHEREAS, the City of Euclid (hereinafter referred to as the “LGA”) seeks to upgrade its existing WWT facilities; and

WHEREAS, the LGA 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 LGA desires to obtain an Ohio Water Development Authority (hereinafter referred to as the “OWDA”) loan to finance costs of planning and/or design of the wastewater facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms; and

WHEREAS, the OWDA requires the government authority to pass legislation for application for a loan and the execution of an agreement, and

WHEREAS, Chagrin Valley Engineering, LTD., has identified a scope of engineering services to complete the preliminary and final design, bidding services, construction observation and construction management for the Brandywine SSO Elimination Project and has provided an opinion of probable cost based on 2015 construction rates in the amount of \$1,020,000; and

WHEREAS, the engineering services for this project are estimated at \$115,263 to include the preliminary and final design, bidding services, construction observation and construction management services; and

WHEREAS, the Director of Public Service has recommended the designation of Chagrin Valley Engineering, LTD., to complete the preliminary and final design, bidding services, construction observation and construction management for the Brandywine SSO Elimination Project; and

WHEREAS, the City of Euclid has nominated the construction of improvements to the Brandywine SSO Elimination Project for a Water Pollution Control Loan Fund (WPCLF) construction 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) construction loan to assist the City to pay for the planning and/or design and construction of the wastewater facilities costs of the aforementioned wastewater facilities improvements; and

WHEREAS, the subject project is necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the City of Euclid;

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

SECTION 1. That the LGA hereby approves the planning/design of the aforesaid Brandywine SSO Elimination Project in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for State Planning Project" as set forth in Exhibit A (the "Cooperative Agreement") and the Mayor and/or his designee is authorized to prepare and file a loan application with the OWDA for the purpose of funding the aforementioned planning/design project.

SECTION 2. That, if approved, the Mayor or his designee is hereby authorized to execute any and all documentation that may be required by the OWDA to secure and administer a Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A for a loan for the purpose stated therein.

SECTION 3. That the Mayor or his designee be, and he is hereby authorized to enter into a contract with Chagrin Valley Engineering, Ltd., Cleveland, Ohio 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the Brandywine SSO Elimination Project in an amount not to exceed \$115,263.

SECTION 4. That the Mayor be and is hereby authorized to apply for a WPCLF construction loan, sign all documents for and enter into Water Pollution Control Loan Fund agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for construction of improvements to the Brandywine SSO Elimination Project in an amount not to exceed \$1,020,000 on behalf of the City of Euclid, Ohio.

SECTION 5. Funds to pay for these expenditures are to be derived from the Wastewater Treatment Fund.

SECTION 6. 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 and to the Ohio Water Development Authority.

SECTION 7. That, if approved, the Mayor or his designee 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 construction loan and an OWDA Cooperative Agreement for a Planning/Design loan for the purpose stated therein.

SECTION 8. 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, and the Ohio Water Development Authority consider and fund its applications.

SECTION 9. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 10. 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 loans 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

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the mayor or his designee to prepare and file a loan application and enter into a cooperative loan agreement between the City of Euclid and the Ohio Water Development Authority (OWDA) Necessary For Planning/Design Of The East 219th/East 221st I & I Reduction Sanitary Sewer Project; to authorize the Mayor or his designee to enter into a contract with Chagrin Valley Engineering, Cleveland, Ohio, 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the planning and/or design and construction services for the East 219th/East 221st I & I Reduction Sanitary Sewer Project; to authorize the Mayor or his designee 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 the construction of the East 219th/East 221st I & I Reduction Sanitary Sewer Project; designating dedicated repayment sources for the loans; and declaring an emergency.

WHEREAS, the City of Euclid (hereinafter referred to as the "LGA") seeks to upgrade its existing WWT facilities; and

WHEREAS, the LGA 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 LGA desires to obtain an Ohio Water Development Authority (hereinafter referred to as the "OWDA") loan to finance costs of planning and/or design of the wastewater facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms; and

WHEREAS, the OWDA requires the government authority to pass legislation for application for a loan and the execution of an agreement, and

WHEREAS, Chagrin Valley Engineering, LTD has identified a scope of engineering services to complete the preliminary and final design, bidding services, construction observation and construction management for the East 219th/East 221st I & I Reduction Sanitary Sewer Project and has provided an opinion of probable cost based on 2015 construction rates in the amount of \$1,600,000; and

WHEREAS, the engineering services for this project are estimated at \$134,604 to include the preliminary and final design, bidding services, construction observation and construction management services; and

WHEREAS, the Director of Public Service has recommended the designation of Chagrin Valley Engineering, Ltd., Cleveland, Ohio 44146, to complete the preliminary and final design, bidding services, construction observation and construction management for the East 219th/East 221st I & I Reduction Sanitary Sewer Project; and

WHEREAS, the City of Euclid has nominated the construction of improvements to the East 219th/East 221st I & I Reduction Sanitary Sewer Project for a Water Pollution Control Loan Fund (WPCLF) construction 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) construction loan to assist the City to pay for the planning and/or design and construction of the wastewater facilities costs of the aforementioned wastewater facilities improvements; and

WHEREAS, the subject project is necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the City of Euclid;

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

SECTION 1. That the LGA hereby approves the planning/design of the aforesaid East 219th/East 221st I & I Reduction Sanitary Sewer Project in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for State Planning Project" as set forth in Exhibit A (the "Cooperative Agreement") and the Mayor and/or his designee is authorized to prepare and file a loan application with the OWDA for the purpose of funding the aforementioned planning/design project.

SECTION 2. That, if approved, the Mayor or his designee is hereby authorized to execute any and all documentation that may be required by the OWDA to secure and administer a Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A for a loan for the purpose stated therein.

SECTION 3. That the Mayor or his designee be, and he is hereby authorized to enter into a contract with Chagrin Valley Engineering, Ltd., Cleveland, Ohio 44146, for engineering services required for the preliminary and final design, bidding services, construction observation and construction management services for the East 219th/East 221st I & I Reduction Sanitary Sewer Project in an amount not to exceed \$134,604.

SECTION 4. That the Mayor be and is hereby authorized to apply for a WPCLF construction loan, sign all documents for and enter into Water Pollution Control Loan Fund agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority, in an amount not to exceed \$1,600,000, for construction of improvements to the East 219th/East 221st I & I Reduction Sanitary Sewer Project on behalf of the City of Euclid, Ohio.

SECTION 5. Funds to pay for these expenditures are to be derived from the Wastewater Treatment Fund.

SECTION 6. 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 and to the Ohio Water Development Authority.

SECTION 7. That, if approved, the Mayor or his designee 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 construction loan and an OWDA Cooperative Agreement for a Planning/Design loan for the purpose stated therein.

SECTION 8. 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, and the Ohio Water Development Authority consider and fund its applications.

SECTION 9. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 10. 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 loans 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 CONGRATULATIONS

A resolution of congratulations for the **Euclid Public Library**, in recognition of its 80 years of success and meaningful contributions to the Euclid community.

WHEREAS, the **Euclid Public Library** was created in 1935 from two branch libraries located in Euclid Central and Shore High Schools, and was expanded to twelve school branches by 1958 to accommodate a growing population in the post-war years; and

WHEREAS, the **Euclid Public Library** soon after established its main building at its present East 222nd location through the efforts of its Library Board, a building that remains part of the library today; and

WHEREAS, with the support of Euclid voters, the **Euclid Public Library** tripled in size by 1966 in response to the growing population; and

WHEREAS, the **Euclid Public Library** expanded its facilities to its present 48,000 square foot size by 1998, providing the community with spaces for such things as small discussion groups, preschool story hours and other various children’s services, technology centers, and meeting rooms; and

WHEREAS, the **Euclid Public Library** operated under the leadership of an outstanding and committed staff, including library Directors Avis Lane, Joseph Bana, Judith Coleman, Dan Siebersma, and Donna Perdzock and current Director Kacie Armstrong; and

WHEREAS, with the efforts of the Library Board and dedicated professional staff, the Library is a beacon for all who seek knowledge; and

WHEREAS, the **Euclid Public Library** is an important part of Euclid’s rich history, and continues to provide resources and knowledge that will carry this City into the future.

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

Section 1: The **Euclid Public Library** be congratulated on this 80th anniversary and appreciated for its meaningful contributions to the Euclid community.

Section 2: 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