

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, OCTOBER 19, 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:

COUNCIL MINUTES: September 21, 2015

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Board of Control: 9/28/15; 10/05/15
Finance Report: September 2015
Police Report: September 2015

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

- | | | | |
|-----------------------|----|---|------------------|
| Third 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) |
| Public Hearing | 2. | 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) |
| Second Reading | 3. | 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.

4. An ordinance authorizing the Mayor of the City of Euclid to enter into a contract with the County of Cuyahoga, District Board of Health, for various health services for the City of Euclid for the year 2016. (Sponsored by Mayor Cervenik) Ord. (152-15)

Comment: Per capita rate for annual health services remains unchanged from 2014 and 2015.

5. An ordinance providing for the submission to the electorate of the City of Euclid, the question of whether Article II, Section 3, entitled The Council shall be amended so as to require Euclid City Council to hold at least one regular meeting during the month of July as well as at least one regular meeting during the month of August of every calendar year. (Sponsored by Charter Review Commission) Ord. (153-15)

Comment: The proposed Charter issue would be placed on the 2016 primary election ballot.

6. A resolution to accept the recommendations of the City of Euclid Tax Incentive Review Council (TIRC) for the Enterprise Zone (EZ) Agreements and Tax Increment Financing (TIF) Districts in the City of Euclid for the fiscal year 2014. (Sponsored by Councilperson Holzheimer Gail) Res. (157-15)

Comment: Incentive agreements with businesses and expenditure of TIF funds are reviewed on an annual basis with County and School officials.

7. An emergency ordinance authorizing the Mayor, as Ex Officio Director of Public Safety of the City of Euclid to enter into a contract with L3 Mobile-Vision, Inc., to allow for the purchase of 4 car video camera/mobile computer systems and two wireless access points to facilitate the automatic download in an amount not to exceed \$39,881.20. (Sponsored by Mayor Cervenik) Ord. (156-15)

Comment: Dash cameras will be added to 4 front-line police vehicles. With Ordinance 99-2015, most patrol vehicles will be equipped with cameras.

8. A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for City of Euclid Fire Department employees. (Sponsored by Mayor Cervenik) Res. (154-15)

Comment: An increase in pension pick-up for 2016 and 2017 was part of the collective bargaining agreement settled through arbitration with the IAFF.

9. A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for City of Euclid Police Department employees. (Sponsored by Mayor Cervenik) Res. (155-15)

Comment: An increase in pension pick-up for 2016 and 2017 was part of the collective bargaining settled through negotiations with the FOP.

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

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

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 of the City of Euclid to enter into a contract with the County of Cuyahoga, District Board of Health, for various health services for the City of Euclid for the year 2016.

WHEREAS, the services provided by the County of Cuyahoga, District Board of Health, to the City of Euclid are beneficial and necessary and cannot be currently provided by the City.

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

Section 1: That the Mayor be, and he is hereby authorized, empowered and directed to enter into a contract with the County of Cuyahoga, District Board of Health, for various health services for the City of Euclid for the year 2016 in the amount of One Hundred Ninety One Thousand Seven Hundred Sixty Six Dollars (\$191,766.00). The contract shall be in a form approved by the Director of Law and as on file in the office of Clerk of Council. The terms are hereby approved.

Section 2: That funds to pay for this expenditure are to be derived from the General Fund.

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

Section 4: That this ordinance 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 – Charter Review Commission

An ordinance providing for the submission to the electorate of the City of Euclid, the question of whether Article II, Section 3, entitled The Council shall be amended so as to require Euclid City Council to hold at least one regular meeting during the month of July as well as at least one regular meeting during the month of August of every calendar year.

WHEREAS, the Charter Review Commission has considered the concerns presented some members of City Council regarding the effect the summer recess has on the legislative process; and

WHEREAS, it is the desire to reduce the legislative burden often seen in City Council's last meeting in June and City Council's first meeting in September; 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 March 15, 2016, at the usual place of voting of a proposed amendment to the Charter of the City of Euclid amending Article II, Section 3 to read as follows:

ARTICLE II
THE COUNCIL

SECTION 3. COUNCIL MEETINGS

In each calendar month, except July and August, the Council shall hold at least two regular meetings, the time and place of which shall be prescribed by ordinance. During each of the months of July and August, the Council shall hold at least one regular meeting, the time and place of which shall be prescribed by ordinance. A majority of all the members elected shall constitute a quorum to do business, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as are prescribed by ordinance. The mayor or any three members of Council may call special meetings upon at least twelve hours' written notice to each member, served personally or left at his usual place of residence. Such notice shall state the subject or subjects to be considered at the meeting and no other subject shall there be considered. Council meetings shall be open to the public at all times and no ordinance, resolution or other business shall be transacted by Council except at a public meeting. Provided further, however, that Council may meet in executive sessions, closed to the public, to review and consider personnel matters, collective bargaining issues, sale or purchase of real estate, pending or imminent litigation or Court actions, and such other matters required or permitted to be kept confidential by Federal or State law, which executive sessions shall be held only pursuant to regulations adopted by ordinance.

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 II, Section 3 of the Charter of the City of Euclid be amended so that the Euclid City Council shall be required to hold at least one regularly scheduled meeting in July and at least one regularly scheduled meeting in August in every calendar year;" and to read as follows:

In each calendar month, except July and August, the Council shall hold at least two regular meetings, the time and place of which shall be prescribed by ordinance. During each of the months of July and August, the Council shall hold at least one regular meeting, the time and place of which shall be prescribed by ordinance. A majority of all the members elected shall constitute a quorum to do business, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as are prescribed by ordinance. The mayor or any three members of Council may call special meetings upon at least twelve hours' written notice to each member, served personally or left at his usual place of residence. Such notice shall state the subject or subjects to be considered at the meeting and no other subject shall there be considered. Council meetings shall be open to the public at all times and no ordinance, resolution or other business shall be transacted by Council except at a public meeting. Provided further, however, that Council may meet in executive sessions, closed to the public, to review and consider personnel matters, collective bargaining issues, sale or purchase of real estate, pending or imminent litigation or Court actions, and such other matters required or permitted to be kept confidential by Federal or State law, which executive sessions shall be held only pursuant to regulations adopted by ordinance.

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.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By – Sponsored by Councilperson Holzheimer Gail

A resolution to accept the recommendations of the City of Euclid Tax Incentive Review Council (TIRC) for the Enterprise Zone (EZ) Agreements and Tax Increment Financing (TIF) Districts in the City of Euclid for the fiscal year 2014.

WHEREAS, the Tax Incentive Review Council met on August 26, 2015 to review the reports compiled by the City’s Enterprise Zone Manager on the Enterprise Zone (EZ) Agreements and Tax Increment Financing (TIF) Districts for the fiscal year 2014; and

WHEREAS, the Tax Incentive Review Council found that all recipients of tax abatement through Enterprise Zone (EZ) Agreements were in compliance with the terms and conditions of their respective agreements; and

WHEREAS, the Tax Incentive Review Council found that all Tax Increment Financing (TIF) Districts were in compliance; and

WHEREAS, the Tax Incentive Review Council recommended the continuation of each Enterprise Zone (EZ) Agreement and Tax Increment Financing (TIF) District; and

WHEREAS, Ohio Revised Code Chapter 5709 requires that a local legislative body that receives recommendations from a tax incentive review council must vote to accept, reject, or modify all or any portion of the recommendations; and

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

Section 1: That this Council accepts the recommendations of the City of Euclid Tax Incentive Review Council with regard to the Enterprise Zone (EZ) Agreements and Tax Increment Financing (TIF) Districts for the fiscal year 2014.

Section 2: That this Council accepts the recommendation that all owners of exempted property are in compliance with their respective Enterprise Zone (EZ) Agreements for the fiscal year 2014, and that the Agreements shall be continued.

Section 3: That this Council accepts the findings of the Tax Incentive Review Council that the Tax Increment Financing (TIF) Districts are in compliance and shall be continued.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution, 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 5: 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 authorizing the Mayor, as Ex Officio Director of Public Safety of the City of Euclid to enter into a contract with L3 Mobile-Vision, Inc., to allow for the purchase of 4 car video camera/mobile computer systems and two wireless access points to facilitate the automatic download in an amount not to exceed \$39,881.20.

WHEREAS, the pricing of three of the four car video/mobile computer systems are consistent the State of Ohio cooperative pricing schedule STS 845 and one is currently on promotional pricing and is discounted slightly from the State of Ohio cooperative pricing; and

WHEREAS, the systems will be purchased using money from the Law Enforcement Trust Fund

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

Section 1: That the Mayor, as Ex Officio Director of Public Safety of the City of Euclid to enter into a contract with L3 Mobile-Vision, Inc., to allow for the purchase of 4 car video camera/mobile computer systems and two wireless access points to facilitate the automatic download in an amount not to exceed \$39,881.20.

Section 2: That the funds necessary for this expenditure are to be derived from the Law Enforcement Trust Fund.

Section 3. That, Council waives competitive bidding as the purchase is consistent with or below the pricing on the State of Ohio contract STS 845.

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

Section 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from after 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

Resolution No.

By –Mayor Cervenik

A resolution reaffirming the City of Euclid's employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for **City of Euclid Fire Department** employees.

WHEREAS, the eligible employees of the Fire Department of the City of Euclid participate in the Ohio Police and Fire Pension Fund ("OP&F"); and

WHEREAS, the City of Euclid's Council has previously adopted a pick-up all of the twelve and one-quarter percent (12.25%) mandatory contributions required under by Section 742.31 of the Ohio Revised Code for a the participating employees of the Fire Department who are members of the OP&F; and

WHEREAS, OP&F has established the employee contribution rate at 12.25% effective July 11, 2015; and

WHEREAS, pursuant to the bargaining agreement, the City's contribution to the picked-up pension will increase by .5% effective January 1, 2016 and an additional .5% effective January 1, 2017.

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

Section 1: That the City of Euclid has determined to continue to pick-up and pay all of the mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund by paying five and one-half percent (5.5%) of the contributions on behalf of the Fire Department employees and six and three-quarters percent (6.75%) through payroll reduction during the period of January 1, 2016, through December 31, 2016; six percent (6%) of the contributions on behalf of the Fire Department employees and six and one-quarter percent (6.25%) through payroll reduction commencing January 1, 2017.

Section 2: For employees hired on or after March 1, 2009, the City of Euclid will pick-up and pay all of the mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund by paying three percent (3%) of the contributions on behalf of the Fire Department employees and nine and one-quarter percent (9.25%) through payroll reduction during the period of January 1, 2016, through December 31, 2016; three and one-half percent (3.5%) of the contributions on behalf of the Fire Department employees and eight and three quarter percent (8.75%) through payroll reduction commencing January 1, 2017.

Section 3: That said picked-up contributions paid by the employer even though designated as employee contributions for state law purposes, are being paid by the City of Euclid in lieu of said contributions by the employee.

Section 4: That said picked-up contributions will not be included in the gross income of the Fire Department employees for tax reporting purposes, that is, for federal or state income tax withholding taxes until distributed from the Ohio Police and Fire Pension Fund.

Section 5: That said picked-up contributions will be included in the gross income of the Fire Department employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund.

Section 6: That said Fire Department employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City of Euclid to the Ohio Police and Fire Pension Fund.

Section 7: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to Ohio Police & Fire Pension Fund, 140 East Town Street, Columbus, Ohio 43215-5164

Section 8: 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 9: That this resolution shall take immediate effect.

Resolution No.

By –Mayor Cervenik

A resolution reaffirming the City of Euclid’s employer pick-up, and payment, of all of the mandatory employee contributions to the Ohio Police and Fire Pension Fund for **City of Euclid Police Department** employees.

WHEREAS, the eligible employees of the Police Department of the City of Euclid participate in the Ohio Police and Fire Pension Fund (“OP&F”); and

WHEREAS, the City of Euclid’s Council has previously adopted a pick-up all of the twelve and one-quarter percent (12.25%) mandatory contributions required under by Section 742.31 of the Ohio Revised Code for a the participating employees of the Police Department who are members of the OP&F; and

WHEREAS, OP&F has established the employee contribution rate at 12.25% effective July 11, 2015; and

WHEREAS, pursuant to the bargaining agreement, the City’s contribution to the picked-up pension will increase by .5% effective January 1, 2016 and an additional .5% effective January 1, 2017.

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

Section 1: That the City of Euclid has determined to continue to pick-up and pay all of the mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund by paying five and one-half percent (5.5%) of the contributions on behalf of the Police Department employees and six and three-quarters percent (6.75%) through payroll reduction during the period of January 1, 2016, through December 31, 2016; six percent (6%) of the contributions on behalf of the Police Department employees and six and one-quarter percent (6.25%) through payroll reduction commencing January 1, 2017.

Section 2: That said picked-up contributions paid by the employer even though designated as employee contributions for state law purposes, are being paid by the City of Euclid in lieu of said contributions by the employee.

Section 3: That said picked-up contributions will not be included in the gross income of the Fire Department employees for tax reporting purposes, that is, for federal or state income tax withholding taxes until distributed from the Ohio Police and Fire Pension Fund.

Section 4: That said picked-up contributions will be included in the gross income of the Fire Department employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund.

Section 5: That said Fire Department employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City of Euclid to the Ohio Police and Fire Pension Fund.

Section 6: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to Ohio Police & Fire Pension Fund, 140 East Town Street, Columbus, Ohio 43215-5164

Section 7: 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 8: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor