

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, NOVEMBER 2, 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: June 15, 2015, October 5, 2015

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Board of Control: 10/13/15; 10/19/15
Recreation Commission Minutes: 3/24/2015
Fire Report: September 2015

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

1. An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to fund the proposed public right-of-way, roadway and utility improvements for the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project in support of area business expansion and attraction through the issuance of notes in a principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000), to enter into agreements with the State and County for additional funding for such corridor improvements and to enter into agreements with First Energy and AT&T for the engineering and construction of related utility improvements. (Sponsored by Mayor Cervenik, Councilpersons Holzheimer Gail, Scarniench and Jarosz) Ord. (163-15)

Comment: Project includes relocation of electric and telephone lines and streetscape enhancements on portions of St. Clair and signal improvements and roadway access for business expansion and attraction.
2. A resolution authorizing the Mayor of the City of Euclid, or his designee, to submit a Casino Revenue Fund Application to Cuyahoga County seeking Five Hundred Thousand Dollars (\$500,000) in Casino Revenue funding to cover a portion of the public capital improvements costs, estimated to total over \$1.7M, as part of the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project in the City of Euclid. (Sponsored by Mayor Cervenik) Res. (162-15)

Comment: Grant will be used as part of the funding for the comprehensive signal and utility upgrade in the St. Clair industrial zone between E. 222 and Babbitt Road.
3. An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase Agreement and to execute all other documents necessary to acquire property from Kevin F. Cody located at 23701 Lake Shore Boulevard (Permanent Parcel No. 644-04-001) at a cost of Three Hundred Twenty Five Thousand and 00/100 Dollars (\$325,000.00), plus closing due diligence costs not to exceed Fifty Thousand Dollars (\$50,000), for the public purpose of the assembly of land necessary for public improvements related to lakefront development and for future redevelopment as recommended in the Euclid Waterfront Improvement Plan. (Sponsored by Mayor Cervenik) Ord. (159-15)

Comment: If authorized, the City would close on the purchase by December 31, 2015, and give the City control over the entire waterfront project area.

4. An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to execute a Land & Water Conservation Fund (LWCF) Program State-Local Project Agreement to accept and expend a Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) LWCF Grant and to provide the required fifty percent (50%) match in the amount of Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) from the Harbor Town TIF Fund. (Sponsored by Mayor Cervenik) Ord. (160-15)

Comment: The grant is part of the ongoing effort to fund the comprehensive waterfront project and will be used to assist in the purchase of PP#644-04-001. .

5. An ordinance authorizing the Director of Finance to issue payment to the Friends of the Henn Mansion for the 2014 capital match as authorized by Ordinance 159-2011 in the amount of \$7,953.33. (Sponsored by Mayor Cervenik) Ord. (158-15)

Comment: The matching grant provides for additional capital improvements to interior and exterior space at Henn.

6. A resolution authorizing all actions necessary to support the continuation of a governmental Natural Gas Aggregation Program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code, directing the Mayor to execute a supply agreement amendment with Constellation Energy Services – Natural Gas, LLC to continue a Natural Gas Aggregation Program beyond March 31, 2016 when the current supply agreement ends. (Sponsored by Mayor Cervenik) Res. (161-15)

Comment: Euclid has provided a natural gas aggregation program since 2002. Competitive bids are sought from suppliers to provide natural gas supply to residents and small business owners at rates that are typically below other offers.

- Second Reading** 7. 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.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Ordinance No.

By – Mayor Cervenik, Councilpersons Holzheimer Gail, Scarniench and Jarosz

An emergency ordinance authorizing the Mayor of the City of Euclid, or his designee, to fund the proposed public right-of-way, roadway and utility improvements for the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project in support of area business expansion and attraction through the issuance of notes in a principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000), to enter into agreements with the State and County for additional funding for such corridor improvements and to enter into agreements with First Energy and AT&T for the engineering and construction of related utility improvements.

WHEREAS, the City desires to commence with roadway and public right-of-way improvements in support of area business expansion and attraction in the St. Clair Industrial Corridor, between East 222 Street and Babbitt Road, including portions of East 222 Street south of St. Clair Avenue; and

WHEREAS, subject to final engineering, such improvements are estimated to cost One Million Seven Hundred Twelve Thousand Dollars (\$1.712M); and

WHEREAS, the City's portion of the capital cost of the improvements is to be funded through the issuance of notes in a principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000); and

WHEREAS, the City has partnered with the State of Ohio and Cuyahoga County in securing funding offers, subject to approval of each governmental entity, for Three Hundred Twenty Thousand Dollars (\$320,000) and Five Hundred Thousand Dollars (\$500,000) respectively toward the remaining capital cost of the construction of the planned roadway, right-of-way and utility improvements; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and for the daily operation of a municipal department and to allow the financing and related agreements to proceed expeditiously so that the necessary improvements can be constructed beginning in the 2016 season, allowing the implementation and completion of the improvements in a timely manner in relation to the requirements of the State and County funding sources for the project.

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

Section 1: That the Mayor, or his designee, be, and is hereby authorized, empowered and directed to fund the proposed public right-of-way, roadway and utility improvements for the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project in support of area business expansion and attraction through the issuance of notes in a principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000) and to enter into agreements with the State and County for additional funding for such corridor improvements.

Section 2: That the Mayor, or his designee, is authorized to apply for, accept and expend the State of Ohio Roadwork Development (629) Grant and such others grants as may be available for the St. Clair roadway improvements.

Section 3: That Council authorizes the City issued notes to be repaid utilizing the annual loan payments by Lincoln Electric to the City under the Loan Agreement between the City of Euclid and the Lincoln Electric Company dated February 25, 1994, beginning in 2017 and such payments continuing through 2023, totaling approximately \$765,000.

Section 4: That the Director of Public Service is authorized to enter into agreements with First Energy and AT&T for the engineering and construction of related utility improvements.

Section 5: That all agreement(s) shall be in a form approved by the Director of Law.

Section 6: That funds to pay for this expenditure are to be derived from the State of Ohio Roadwork Development (629) Grant in the amount of Three Hundred Twenty Thousand Dollars (\$320,000), a Cuyahoga County Casino Revenue Fund Forgivable Loan in the amount of Five Hundred Thousand Dollars (\$500,000) and through notes authorized in a principal amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000).

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

Section 8: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By - Mayor Cervenik, Councilpersons Holzheimer Gail, Scarniench and Jarosz

A resolution authorizing the Mayor of the City of Euclid, or his designee, to submit a Casino Revenue Fund Application to Cuyahoga County seeking Five Hundred Thousand Dollars (\$500,000) in Casino Revenue funding to cover a portion of the public capital improvements costs, estimated to total over \$1.7M, as part of the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project in the City of Euclid.

WHEREAS, the City of Euclid intends to undertake a capital improvement project eligible for such assistance, said project being the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project extending from Babbitt Road to East 222 Street; and

WHEREAS, in recognition of the importance of the Euclid industrial business district to the local economy and the City and County tax base, the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project is part of a multi-year phased program to upgrade and modernize the roadways and related public right-of-way improvements throughout the industrial corridor; and

WHEREAS, this capital project will ensure the necessary basic infrastructure is in place to support the current and future needs of area businesses and the continued health, competitiveness and growth of the industrial district; and

WHEREAS, funds to pay for said capital project will be derived from the Cuyahoga County Casino Revenue Fund, a State of Ohio Roadwork Development (629) Grant and the City of Euclid through the issuance of notes; and

WHEREAS, through Ordinance No. 0212-0011 the Cuyahoga County Council established a Casino Revenue Fund for the purpose of collecting and expending proceeds from gross casino revenues and determining the uses for such proceeds and timeframes for such uses; and

WHEREAS, the Cuyahoga County Council and the County Executive seek to allocate the ongoing proceeds from the Casino Revenue Fund to enhance economic development of the entire County; and

WHEREAS, said St. Clair Avenue Industrial Roadway/Corridor Enhancements Project is consistent with the intent of the Casino Revenue Fund; and

WHEREAS, funding awarded by the County for this project would be structured as a forgivable loan.

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

Section 1: That the Mayor of the City of Euclid, or his designee, is hereby authorized to submit a Casino Revenue Fund Application to Cuyahoga County seeking Five Hundred Thousand Dollars (\$500,000) in Casino Revenue funding to cover a portion of the public capital improvements costs, estimated to total over \$1.7M, as part of the St. Clair Avenue Industrial Roadway/Corridor Enhancements project in the City of Euclid

Section 2: That this Council does hereby authorize the Mayor to execute any and all documents necessary to Cuyahoga County to accept and expend the Casino Revenue funds in the form of a forgivable loan.

Section 3: That this Council does hereby agree to obligate the Casino Revenue Fund monies upon award by the County to cover a portion of the capital improvement costs associated with the St. Clair Avenue Industrial Roadway/Corridor Enhancements Project.

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 resolution shall take immediate effect.

Attest:

Clerk of Council

Passed:

President of Council

Approved:

Mayor

Ordinance No.

By- Mayor Cervenik

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase Agreement and to execute all other documents necessary to acquire property from Kevin F. Cody located at 23701 Lake Shore Boulevard (Permanent Parcel No. 644-04-001) at a cost of Three Hundred Twenty Five Thousand and 00/100 Dollars (\$325,000.00), plus closing due diligence costs not to exceed Fifty Thousand Dollars (\$50,000), for the public purpose of the assembly of land necessary for public improvements related to lakefront development and for future redevelopment as recommended in the Euclid Waterfront Improvement Plan.

WHEREAS, the acquisition of property located at 23701 Lake Shore Boulevard will give the City ownership control of land needed to implement recommendations of the Euclid Waterfront Improvement Plan, adopted as an addendum to the City's Master Plan on December 21, 2009; and

WHEREAS, the appraised value of the property is Four Hundred Twenty Five Thousand and 00/100 Dollars (\$425,000.00), per the Real Property Appraisal Report dated September 26, 2014, prepared by Sherman-Andrzejczyk Group, Inc., Real Property Appraisers, and on file with the Department of Planning and Development; and

WHEREAS, the negotiated purchase price of the property is established at Three Hundred Twenty Five Thousand and 00/100 Dollars (\$325,000.00), plus closing and due diligence costs not to exceed Fifty Thousand Dollars (\$50,000), with the balance of the value being credited to the City as a donation by the Seller, and

WHEREAS, funds for the acquisition of the property and related costs will be derived from the Harbor Town TIF, the ODNR Land & Water Conservation Fund Grant; and such other grant funds that are secured for this purpose; 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 allow for the timely closing and transfer of the property prior to December 31, 2015 as required by the Purchase Agreement.

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

Section 1: That the Mayor of the City of Euclid is hereby authorized and directed to enter into a Purchase Agreement and to execute all other documents necessary to acquire property from Kevin F. Cody located at 23701 Lake Shore Boulevard (Permanent Parcel No. 644-04-001) at a cost of Three Hundred Twenty Five Thousand and 00/100 Dollars (\$325,000.00), plus closing and due diligence costs not to exceed Fifty Thousand Dollars (\$50,000), for the public purpose of the assembly of land necessary for public improvements related to lakefront development and for future redevelopment as recommended in the Euclid Waterfront Improvement Plan.

Section 2: That Real Property Appraisal Report dated September 26, 2014, prepared by Sherman-Andrzejczyk Group, Inc., Real Property Appraisers is accepted by Council and is on file with the Department of Planning and Development. All other documents necessary to the transaction to be as approved by the Director of Law.

Section 3: That given the City's intent to demolish all existing structures and improvements on the property after taking ownership, the City Council authorizes waiver of the Point of Sale Inspection and related fees.

Section 4: That the funds to pay for the purchase of this property and related costs are to be derived from the Harbor Town TIF, the ODNR Land & Water Conservation Fund Grant; and such other grant funds that are secured for this purpose.

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 212.22 of the Ohio Revised Code.

Section 6: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Cervenik

An emergency ordinance authorizing the Mayor of the City of Euclid or his designee to execute a Land & Water Conservation Fund (LWCF) Program State-Local Project Agreement to accept and expend a Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) LWCF Grant and to provide the required fifty percent (50%) match in the amount of Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) from the Harbor Town TIF Fund.

WHEREAS, pursuant to Resolution No. 81-2015, adopted June 1, 2015, the City applied for and has been awarded a LWCF Grant for the purpose of acquisition of property for public outdoor recreation purposes in conformance with the adopted Euclid Waterfront Improvements Plan; and

WHEREAS, the subject 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 allow for the timely execution of the grant agreement.

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 a Land & Water Conservation Fund (LWCF) Program State-Local Project Agreement to accept and expend a Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) LWCF Grant.

Section 2: That funds to pay for the required fifty percent (50%) match in the amount of Forty Four Thousand Three Hundred Ninety Nine Dollar (\$44,399) are to be derived from the Harbor Town TIF Fund.

Section 3: That this Council does hereby authorize the Mayor, or his designee, to execute any and all other documents necessary to accept and implement the grant.

Section 4: That all documents related to the grant shall be subject to and in the form as approved by the Director of Law.

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

Section 6: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the Director of Finance to issue payment to the Friends of the Henn Mansion for the 2014 capital match as authorized by Ordinance 159-2011 in the amount of \$7,953.33.

WHEREAS, the Henn Mansion is a City-owned building available for use by the general public; and

WHEREAS, the matching funds encourage additional non-public contributions to further rehabilitate the publicly owned Henn Mansion; and

WHEREAS, the City has provided a matching grant program for this facility, as provided in Ordinance 159-2011; and

WHEREAS, the Council and Administration desire to continue the partnership with the Friends of the Henn Mansion to assist in their ongoing improvement projects and to maintain this City-owned landmark.

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

Section 1: That the Director of Finance is authorized to pay to the Friends of the Henn Mansion the sum of \$7,953.33 as the match for the 2014 calendar year.

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

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

Section 4: That this ordinance 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 all actions necessary to support the continuation of a governmental Natural Gas Aggregation Program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code, directing the Mayor to execute a supply agreement amendment with Constellation Energy Services – Natural Gas, LLC to continue a Natural Gas Aggregation Program beyond March 31, 2016 when the current supply agreement ends.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of Cities to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

WHEREAS, this Council finds and determines that it is in the best interest of the City, its residents, businesses and other Natural Gas consumers located within the limits of the City to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement Amendment that will take effect on or about April 1, 2016; and

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

Section 1: The Mayor is hereby authorized to enter into a Master Services Agreement (“MSA”) Amendment with Constellation Energy Services – Natural Gas, LLC to facilitate the sale and purchase of Natural Gas to consumers in the City’s opt-out program.

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 – 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