

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, FEBRUARY 1, 2016 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: Special Council January 11, 2016; January 19, 2016

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Board of Control: 1/11/16; 1/19/2016

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

**ACTION
PROPOSED**

- | | | |
|--------------------------|---|---|
| Third
Reading | <p>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 Gregory Williams, Manager, Mattress Plus, to permit a retail mattress store in a U8-Office Building District and part of the Downtown Overlay District Permanent Parcel Number 644-26-002, 333 Babbitt Road, Euclid, Ohio 44123. (Sponsored by Planning and Zoning Commission) (Recommended for passage by Planning and Zoning)</p> <p>2. An emergency ordinance authorizing the Director of Public Service to enter into a contract with Pro Pool and Spa, 322 Bayshore Drive, Eastlake, OH 44095, for the labor and materials necessary for the repairs to all of the city pools in an amount not to exceed Two Hundred Twenty Thousand Dollars (\$220,000). (Sponsored by Councilperson Delaney by request of the Public Service Director) (Recommended for passage by the Parks and Recreation Committee)</p> <p>3. An emergency ordinance authorizing the sale of Permanent Parcel Number 641-12-082, 19561 Pasnow Avenue, from the Euclid Land Bank, to Willard E. and Gwendolyn S. Washington, co-applicants, for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning and Zoning) (Recommended for passage by Planning and Zoning)</p> <p>4. An ordinance authorizing the Mayor of the City of Euclid to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District to provide technical assistance in implementing soil and water conservation measures for the City of Euclid and other such advisory services as needed and agreed. (Sponsored by Mayor Holzheimer Gail)</p> | <p>Res.
(004-16)</p> <p>Ord.
(007-16)</p> <p>Ord.
(009-16)</p> <p>Ord.
(010-16)</p> |
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Comment: The City previously engaged CSWCD for similar services by Ord. 127-2014

5. A resolution re-appointing one member and appointing one new Res. member to the Audit Committee established by Ordinance 236-2007 (011-16) and amended by Resolution 33-2011. (Sponsored by Mayor Holzheimer Gail and Entire Council)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

STATE OF THE CITY ADDRESS MAYOR HOLZHEIMER GAIL

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 Gregory Williams, Manager, Mattress Plus, to permit a retail mattress store in a U8-Office Building District and part of the Downtown Overlay District Permanent Parcel Number 644-26-002, 333 Babbitt Road, Euclid, Ohio 44123.

WHEREAS, at its meeting on December 8, 2015, the Planning and Zoning Commission approved a Use District Exception, with conditions, to Gregory Williams, Manager, Mattress Plus, to permit a retail mattress store at 333 Babbitt Road; and

WHEREAS, the use district exception was approved with the conditions that there will be no temporary signage on the exterior of the building and permanent signage will require approval by the Architectural Review Board; 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 Gregory Williams, Manager, Mattress Plus, to permit a retail mattress store in a U8-Office Building District and part of the Downtown Overlay District Permanent Parcel Number 644-26-002, 333 Babbitt Road, Euclid, Ohio 44123.

Section 2: That no temporary signage on the exterior of the building will be permitted and permanent signage will require approval by the Architectural Review Board; and

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

Section 4: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Councilperson Delaney (by request)

An emergency ordinance authorizing the Director of Public Service to enter into a contract with Pro Pool and Spa, 322 Bayshore Drive, Eastlake, OH 44095, for the labor and materials necessary for the repairs to all of the city pools in an amount not to exceed Two Hundred Twenty Thousand Dollars (\$220,000).

WHEREAS, During the 2015 pool season, there was a significant leak in Memorial pool which was traced to failing expansion joints on the bottom of the pool; and,

WHEREAS, An inspection of all city pools revealed health and safety issues and other essential repairs that need to be completed before the pools will be opened for pool season; and,

WHEREAS, The City received three (3) proposals from companies for the repair work, and Pro Pool and Spa submitted the lowest and best proposal; and,

WHEREAS, After review, the Director of Public Service recommends that we contract with Pro Pool and Spa for the repairs to all of the city pools; and,

WHEREAS, The funding for this project will come from the 2016 Recreation Capital Improvement Fund which will be funded from the proceeds from the sale of the cell phone towers; and,

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

Section 1: That the Director of Public Service is hereby authorized to enter into an agreement with Pro Pool and Spa, 322 Bayshore Drive, Eastlake, OH 44095, for the labor and materials necessary for the repairs to all of the city pools in an amount not to exceed Two Hundred Twenty Thousand Dollars (\$220,000).

Section 2: That funding for this project will come from the 2016 Recreation Capital Improvement Fund which will be funded from the proceeds from the sale of the cell phone towers.

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

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for 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 the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel Number 641-12-082, 19561 Pasnow Avenue, from the Euclid Land Bank, to Willard E. and Gwendolyn S. Washington, co-applicants, for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010 and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank for private use; and

WHEREAS, at its meeting on January 12, 2016 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 641-12-082, 19561 Pasnow Avenue, from the Euclid Land Bank, to Willard E. and Gwendolyn S. Washington, co-applicants, for the amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, Willard E. and Gwendolyn S. Washington, co-applicants, own the adjacent properties, Permanent Parcel Numbers 641-12-146 and 641-12-081 and desires to purchase the 641-12-082 parcel for property expansion; and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value.

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 the sale to be finalized in a timely manner.

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

Section 1: That the sale of Permanent Parcel Number 641-12-082, 19561 Pasnow Avenue, from the Euclid Land Bank, to Willard E. and Gwendolyn S. Washington, co-applicants, for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance No. 98-2010 and amended by Ordinance 101-2011 is hereby approved.

Section 2: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

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

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for 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 Holzheimer Gail

An ordinance authorizing the Mayor of the City of Euclid to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District to provide technical assistance in implementing soil and water conservation measures for the City of Euclid and other such advisory services as needed and agreed.

WHEREAS, the services provided by the Cuyahoga Soil and Water Conservation District, to the City of Euclid are beneficial and necessary and cannot be currently provided by the City; and,

WHEREAS, Cuyahoga Soil and Water Conservation District will provide storm water pollution prevention monitoring on construction sites covering one acre or more; perform storm water plan reviews (SWP3) for development projects; construction plan review, as requested; perform field reviews of construction sites and water quality facilities; provide written technical advisory reports for plan submissions and field inspections.

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

Section 1: That the Mayor be, and she is hereby authorized, empowered and directed to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District to provide technical assistance in implementing soil and water conservation measures for the City of Euclid and other such advisory services as needed and agreed. The memorandum of understanding shall be approved by the Director of Law and be on file with the Clerk of Council.

Section 2: That based upon the anticipated level of work involved, the fee for services shall not exceed \$13,000.

Section 3: That funds to pay for this expenditure are to be derived from the General Fund.

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

Section 5: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By: Mayor Holzheimer Gail and Entire Council

A resolution re-appointing one member and appointing one new member to the Audit Committee established by Ordinance 236-2007 and amended by Resolution 33-2011.

WHEREAS, under Section 137.08 of the Codified Ordinances of the City of Euclid there exists an Audit Committee consisting of four members, three of whom are nominated by the Mayor and subject to confirmation by the Council; and

WHEREAS, the Mayor has nominated two well qualified members of the Euclid community to provide periodic oversight and review of the annual Audit Report.

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

Section 1: That David Carlson be confirmed for reappointment to a term ending December 31, 2017.

Section 2: That the nomination of LaToya Hardin be confirmed for initial terms ending December 31, 2017.

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

Section 4: That this resolution take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor