

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, MARCH 4, 2019 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:

- R & R 1 LLC, 26594 LAKESHORE BLVD, EUCLID, OH 44132
- EUCLID PANINIS INC DBA EUCLID PANINIS, 937 E 222ND ST & PATIO, EUCLID, OHIO 44123

COUNCIL MINUTES:

- JANUARY 7, 2019

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- BOARD OF CONTROL DATED: FEBRUARY 11 & FEBRUARY 19, 2019

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

ACTION		PROPOSED
Second Reading	1. An emergency ordinance amending Ordinance 169-2018 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2019. (Sponsored by Council President Mancuso by request of the Director of Finance) Comment: This would create the budget for the City for 2019.	Ord. (017-19)
Second Reading	2. An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a contract for a five year operating lease with Yamaha for seventy (70) golf carts. (Sponsored by Councilperson Hill by request of the Director of Recreation) Comment: This would allow for the lease of golf carts for Briardale Greens golf course.	Ord. (018-19)
First Reading Public Hearing April 1, 2019	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 it relates to and designates U8 and U4 use districts relative to said property. (Sponsored by Planning and Zoning) (Referred to Council by Planning and Zoning with recommendation for passage) Comment: This would rezone the area in front of HGR to facilitate the construction of a retail building.	Ord. (022-19)

4. An ordinance authorizing the Mayor of the City of Euclid to enter into a five (5) year extension of the lease and operating agreement with Cuyahoga County for the City Jail until March 31, 2024. (Sponsored by Mayor Holzheimer Gail) Ord. (024-19)

Comment: This would extend the lease and operating agreement with Cuyahoga County for the jail for five (5) additional years.

5. A resolution granting a Use District Exception and variances with conditions, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Dominion Energy Ohio, applicant, to operate a natural gas pressure regulation stations as an accessory use within a parking lot in a U4-Local Retail or Wholesale District, Permanent Parcel Number 643-12-061, 923 East 222nd Street, Euclid, Ohio 44123. (Sponsored by Planning and Zoning)(Referred to Council by Planning and Zoning with recommendation for passage) Res. (023-19)

Comment: This would allow the operation of a natural gas pressure regulation stations as an accessory use within a parking lot.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

BY: Council President Mancuso (per request)

AN EMERGENCY ORDINANCE AMENDING ORDINANCE #169-2018 WHICH MAKES THE ANNUAL APPROPRIATION FOR ALL EXPENDITURES FOR THE CITY OF EUCLID FOR THE PERIOD ENDING DECEMBER 31, 2019.

WHEREAS, IN ORDER TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, IT IS NECESSARY THAT THE FOLLOWING SUMS OF MONEY, OR AS MUCH THEREOF AS MAY BE AUTHORIZED BY LAW, AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY, BE APPROPRIATED FOR THE CORPORATE PURPOSES AND OBJECTS OF SAID CITY AS HEREINAFTER SPECIFIED.

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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE STATE OF OHIO.

SECTION 1: THAT TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, OVER A PERIOD ENDING DECEMBER 31, 2019. THE FOLLOWING SUMS BE AND THEY ARE HEREBY SET ASIDE AND APPROPRIATED AS HEREINAFTER SET FORTH.

SECTION 2: THAT THE EXPENDITURES OF EACH FUND FOR THE CITY OF EUCLID CAN NOT EXCEED THE APPROPRIATION AS AMENDED, FOR THAT FUND.

SECTION 3: THAT THERE BE AND THERE IS HEREBY APPROPRIATED FROM THE FOLLOWING FUNDS, THE DETAIL OF WHICH IS SHOWN BELOW:

101 GENERAL FUND		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
<u>Legislative Departments</u>				
101-111	COUNCIL	174,774	11,525	186,299
<u>Judicial Departments</u>				
101-121	COURT	1,460,012	235,300	1,695,312
<u>Executive Departments</u>				
101-131	MAYOR	345,185	6,400	351,585
101-132	HUMAN RESOURCES	122,825	3,300	126,125
101-133	CIVIL SERVICE	19,477	20,200	39,677
101-134	BOARDS & COMMISSIONS			
<u>Law Department</u>				
101-141	LAW DEPARTMENT	651,060	287,225	938,285
<u>Finance Department</u>				
101-151	FINANCE	507,596	109,600	617,196
101-152	TAX	275,915	86,700	362,615
101-153	VITALS	21,948	288,411	310,359
101-154	INFORMATION TECH	141,093	116,255	257,348
<u>Police Department</u>				
101-211	POLICE	12,265,169	1,112,655	13,377,824
101-212	POLICE ADMIN	704,135	138,850	842,985
101-213	CORRECTIONS	-	415,000	415,000
<u>Fire Department</u>				
101-221	FIRE (FIGHTING, PREVENTION, INSPECTIONS)	10,712,057	124,700	10,836,757
101-222	FIRE ADMIN	62,529	19,655	82,184
<u>Protective Inspection Department</u>				
101-311	BUILDING / HOUSING	1,156,949	105,050	1,261,999
101-331	PLANNING AND ZONING	239,252	7,595	246,847
<u>CS & ED Department</u>				
101-411	PLANNING AND DEVELOPMENT	231,103	156,429	387,532
<u>Service Department</u>				
101-511	PUBLIC WORKS	107,832	5,055	112,887
101-521	PUBLIC BUILDINGS	693,830	138,285	832,115
101-531	HIGHWAYS AND STREETS			-
101-541	MOTOR MAINTENANCE	720,110	483,400	1,203,510
101-551	PARKS	1,066,579	44,550	1,111,129
101-561	ENGINEERING	-	74,450	74,450
101-571	SANITATION	-	2,547,587	2,547,587
<u>Recreation</u>				
101-611	RECREATION	-	-	-
101-621	SENIOR CENTER	288,367	45,200	333,567
<u>General Services</u>				
101-711	GENERAL SERVICES	-	2,090,650	2,090,650
<u>TRANSFERS</u>				
101-912	TO INDIGENT DRIVER - FUND 211		-	
	TO ANIMAL SHELTER - FUND 214		76,000	
	TO COMMUNITY TV - FUND 230		-	
	TO RECREATION OPERATING - FUND 240		190,000	
	TO SHORE CORP. - FUND 290		230,000	
	TO PERMANENT IMPROVEMENT - FUND 310		53,500	
	TO BOND RETIREMENT FUND 410		50,000	
	TO SELF-INSUR. LIABILITY - FUND 630		300,000	
	TOTAL TRANSFERS OUT		899,500	899,500
101-913	ADVANCES TO GOLF COURSE FUND 560		130,000	130,000

TOTAL GENERAL FUND				41,671,324
SPECIAL REVENUE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
210	STATE HIGHWAY	-	119,000	119,000
211	INDIGENT DRIVER ALCOHOL PROGRAM	-	140,000	140,000
212	COURT COMPUTERIZATION	-	190,000	190,000
213	COURT SPECIAL PROJECTS	-	80,000	80,000
214	ANIMAL SHELTER	84,349	16,780	101,129
216	NUISANCE ABATEMENT	-	249,000	249,000
217	INDIGENT DRIVER INTERLOCK & ALCOHOL	-	9,000	9,000
220	STREET MAINTENANCE & CONSTRUCTION	1,098,973	1,023,380	2,122,353
230	COMMUNITY TV	-	-	-
240	RECREATION OPERATING	435,574	401,300	836,874
250	COMMUNITY DEVELOPMENT BLOCK GRANT	464,515	448,650	913,165
252	NEIGHBORHOOD STABILIZATION GRANT	-	40,600	40,600
255	OTHER GRANTS	-	1,000,000	1,000,000
280	LAW ENFORCEMENT TRUST	25,000	212,000	237,000
290	SHORE CORPORATION	-	230,000	230,000
291	UNCLAIMED MONIES	-	-	-
TOTAL SPECIAL REVENUE FUNDS				6,268,121
CAPITAL PROJECTS FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
310	GENERAL PERMANENT IMPROVEMENT	-	580,824	580,824
320	RECREATION CAPITAL	-	537,750	537,750
330	SIDEWALK REPAIR AND REPLACEMENT	-	60	60
370	EUCLID ENDOWMENT	-	56,552	56,552
380	SIMS PARK	-	4,300	4,300
391	BENNINGTON HAMLET TIF	-	124,000	124,000
393	CMP PROPERTIES TIF	-	200,000	200,000
394	HARBOR TOWN TIF	-	220,000	220,000
395	DOWNTOWN DISTRICT TIF	-	190,000	190,000
TOTAL CAPITAL PROJECTS FUNDS				1,913,486
DEBT SERVICE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
410	BOND RETIREMENT	-	4,469,859	4,469,859
TOTAL DEBT SERVICE FUNDS				4,469,859
ENTERPRISE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
510	WASTE WATER TREATMENT	3,990,065	41,477,522	45,467,587
511	EQUIPMENT REPLACEMENT	-	658,000	658,000
512	CREEKS AND SEWERS	1,035,163	195,300	1,230,463
515	PETERSON TRUNK LINE	-	6,750,000	6,750,000
516	WATERLINE IMPROVEMENT	-	2,562,000	2,562,000
560	BRIARDALE GOLF COURSE	-	850,000	850,000
630	SELF INSURANCE	-	324,000	324,000
TOTAL ENTERPRISE FUNDS				57,842,050
TOTAL ALL FUNDS				\$ 112,164,840

SECTION 4: THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREIN.

SECTION 5: THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

SECTION 6: THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS COUNCIL CONCERNING AND RELATING TO THE ADOPTION OF THIS ORDINANCE WERE ADOPTED IN AN OPEN MEETING OF THIS COUNCIL. AND THAT ALL DELIBERATIONS OF THIS COUNCIL AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

SECTION 7: THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS OF THE CITY OF EUCLID, AND PROVIDED IT RECEIVES THE TWO-THIRDS VOTE OF ALL MEMBERS OF COUNCIL ELECTED THERETO, SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL; OTHERWISE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

ATTEST:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

PASSED :

APPROVED :

MAYOR

Ordinance No.

By – Councilperson Hill (by request)

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a contract for a five year operating lease with Yamaha for seventy (70) golf carts.

WHEREAS, Billy Casper Golf solicited proposals for the supply of gasoline golf carts for rental use at Briardale Greens, and received proposals from direct manufacturers and dealers; and

WHEREAS, in evaluating the proposals, Billy Casper Golf is recommending a five year operating lease for seventy (70) model Drive² EFI golf carts with Yamaha, for a total annual cost for all vehicles at approximately \$48,000; 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.

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

Section 1: That the Mayor or designee is hereby authorized to enter into a five-year operating lease agreement with Yamaha for seventy (70) Drive² EFI golf carts at an annual cost not to exceed \$48,000.00.

Section 2: The Mayor or designee is further authorized to enter into the lease financing documents necessary for completion of the equipment lease through the direct manufacturer or other financial organizations that may provide lower interest rates.

Section 3: Funds to pay for this expenditure are to be derived from the Briardale Greens Operating Budget.

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 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 - 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 it relates to and designates U8 and U4 use districts relative to said property.

WHEREAS, public notice and hearings have been given in connection with the changing of U8 and U4 use district 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, Permanent Parcel 646-28-003 from U8 to a U4 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 February 12, 2019, which will add to the present U4 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 U4 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:

Situated in the State of Ohio, County of Cuyahoga, City of Euclid, being part of Parcel 2 in the Lot Split and Consolidation Plat for Nickel Station, LLC of part of Original Euclid Township Tract No. 14 and part of Original Euclid Township Lot No. 9, Gore Tract as shown by recorded Plat in AFN 201706220229 of Cuyahoga County Recorder's records, and being further bounded and described as follows:

Beginning at the southeast corner of said Parcel 2 and being on the north right-of-way limits of Euclid Avenue (State Route 6 - 86' wide). Said corner also being a south corner of Parcel 1 of said Lot Split and Consolidation Plat for Nickel Station, LLC and the **TRUE PLACE OF BEGINNING** for the parcel of land described herein;

1. Thence S 39°02'21" W, along the north right-of-way limits of Euclid Avenue, a distance of 246.00' to a point thereon;
2. Thence N 45°35'20" W, a distance of 200.88' to a point;
3. Thence N 39°02'21" E, a distance of 245.82' to a point on the east line of said Parcel 2 and a line of said Parcel 1;
4. Thence S 45°38'19" E, along the east line of said Parcel 2 and a line of said Parcel 1, a distance of 200.87' to the **TRUE PLACE OF BEGINNING** and containing 1.1290 acres (49,181 square feet) of land as surveyed by James P. Yurkschatt, PS 7809 of Campbell & Associates, Inc. on February 13, 2019 be the same more or less but subject to all legal highways and easements of record.

The basis of bearings for this description is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

Section 2: That so much of Section 1 of Ordinance No. 2812, as amended, as relates to the U4 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 U8 to the U4 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 U8 and U2 use district, are 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 Holzheimer Gail

An ordinance authorizing the Mayor of the City of Euclid to enter into a five (5) year extension of the lease and operating agreement with Cuyahoga County for the City Jail until March 31, 2024.

WHEREAS, in 2014, the City and Cuyahoga County developed an agreement whereby the Cuyahoga County Sheriff will operate the Euclid Jail as a County facility; and

WHEREAS, at that time, it was discussed that by entering into this agreement with the County the City will be relieved of capital costs of renovation expected to be in excess of \$5,000,000 and annual operating costs between \$1,750,000 and \$2,000,000; and

WHEREAS, the City and County agreed to lease terms wherein the City will contribute up to \$600,000 in capital improvements over a five year period and compensate the County for the housing of City prisoners for the same period with the initial annual cost not to exceed \$400,000; and

WHEREAS, that initial contract was approved by Euclid City Council in Ord. 23-2014 on March 17, 2014; and

WHEREAS, this five (5) year extension includes the same terms and conditions as the initial agreement except the City will no longer have capital improvement obligations beyond what was negotiated in the initial contract.

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

Section 1: That the Mayor is authorized to enter into a five (5) year extension of the lease agreement and operating agreement with Cuyahoga County for the City Jail until March 31, 2024 and in form as approved by the Director of Law.

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

Section 3: That this ordinance shall be in full force and effect from after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By – Planning & Zoning Commission

A resolution granting a Use District Exception and variances with conditions, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to Dominion Energy Ohio, applicant, to operate a natural gas pressure regulation stations as an accessory use within a parking lot in a U4-Local Retail or Wholesale District, Permanent Parcel Number 643-12-061, 923 East 222nd Street, Euclid, Ohio 44123.

WHEREAS, at its meeting on February 12, 2019 the Planning and Zoning Commission approved a Use District Exception to operate a natural gas pressure regulation station as an accessory use within a parking lot in a U4-Local Retail or Wholesale District, Permanent Parcel Number 643-12-061, 923 East 222nd Street, Euclid, Ohio 44123; 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 with conditions as stated above is hereby granted, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid to operate a natural gas pressure regulation stations as an accessory use within a parking lot in a U4-Local Retail or Wholesale District, Permanent Parcel Number 643-12-061, 923 East 222nd Street, Euclid, Ohio 44123 .

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