

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, OCTOBER 21, 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: None at this time

COUNCIL MINUTES: October 7, 2019

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Board of Control dated: October 7th and October 15th, 2019
- Housing and Building Standards Committee meeting held: October 9th, 2019

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

ACTION		PROPOSED
Second Reading	<p>1. An ordinance repealing Euclid Codified Ordinance Section 1749.01 “Minimum Dwelling Unit Size” of Chapter 1749 Miscellaneous Regulations of the Building and Housing Code of the Codified Ordinances of the City of Euclid and enacting Euclid Codified Ordinance Section 1381.11 “Minimum Floor Area of a Single Family Dwelling” of Chapter 1381 Area Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid to reduce the minimum square footage of single family homes being built in the City of Euclid considering lot size. (Sponsored by Councilpersons Gorshe, Jarosz and Wojtila by request of the Director of Planning and Development) (Sent to Housing/Building Standards Committee and referred back to Council as amended with recommendation for passage)</p> <p>Comment: This would repeal the 2,000 square foot minimum for new home construction and allow a smaller square footage based on lot size.</p>	<p>Ord. (052a-19)</p>
Third Reading	<p>2. A resolution granting a Use District Exception pursuant to Chapters 1375.01(a)(3) and 1359.03(e)(6) of the Codified Ordinances of the City of Euclid, to applicants Sergio DiFranco, owner of AdeliOS Contracting, and Gianmichele Bruno, owner of Cemex Construction, to establish and operate plumbing and concrete contractor businesses in two existing vacant buildings at 26110 Euclid Avenue, Euclid, Ohio 44132, Permanent Parcel Number 648-51-002 a U4-Local retail or Wholesale Store District. (Sponsored by Planning and Zoning) (Referred to Council by Planning and Zoning with recommendation for passage) (Sent to the Business & Commercial Development Committee and referred back to Council with no recommendation).</p> <p>Comment: This would approve a UDE to operate plumbing and concrete contractor businesses in a U-4 district.</p>	<p>Res. (078-19)</p>

3. An ordinance authorizing the Mayor of the City of Euclid or her designee to exercise the option for renewal of the current contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and weekly recycling pick-up for the City of Euclid from January 1, 2020 through December 31, 2024. (Sponsored by Councilperson Wojtila by request of the Director of Public Service) Ord. (109-19)

Comment: This would renew the contract with Kimble for waste disposal and recycling for five (5) years.

4. An emergency ordinance authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid, or her designee, to accept and expend a grant in the amount of \$110,979.00 for three (3) new cardiac heart monitors for use by the Euclid Fire Department. (Sponsored by Mayor Holzheimer Gail) Ord. (110-19)

Comment: This would allow the Mayor to accept and expend a grant for (3) new cardiac heart monitors for use by the EFD.

5. A resolution creating a Domestic Violence Task Force which shall examine issues relating to domestic violence and make recommendations regarding administrative and legislative issues relating to domestic violence. (Sponsored by Councilperson McIntosh) Res. (111-19)

Comment: This would create a Domestic Violence Task Force to examine issues relating to domestic violence.

CEREMONIAL RESOLUTIONS

- A resolution of congratulations to **Lieutenant Richard Storey** of the City of Euclid Fire Department for receiving the 2019 Ohio Fire Service Valor Award by the Ohio Department of Commerce's Division of State Fire Marshal. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (108-19)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Ordinance No.

By – Councilpersons Gorshe and Jarosz (by request)

An ordinance repealing Euclid Codified Ordinance Section 1749.01 "Minimum Dwelling Unit Size" of Chapter 1749 Miscellaneous Regulations of the Building and Housing Code of the Codified Ordinances of the City of Euclid and enacting Euclid Codified Ordinance Section 1381.11 "Minimum Floor Area of a Single Family Dwelling" of Chapter 1381 Area Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid to reduce the minimum square footage of single family homes being built in the City of Euclid considering lot size.

WHEREAS, after significant review, research and fact-finding it has been found that the current 2,000 square foot minimum floor area requirement for new dwellings is overly restrictive, tending to discourage investment in new housing construction within Euclid's existing subdivisions; and

WHEREAS, there is concern that without a minimum floor area requirement that very small houses may tend to become absentee owned rental housing, and may thereby have a negative impact on neighborhood stability; and

WHEREAS, considering various lot sizes within the City of Euclid, Euclid City Council suggests smaller floor area for new construction of single family homes would be better suited for our neighborhoods.

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

Section 1: That Section 1749.01 "Minimum Dwelling Unit Size" of Chapter 1749 Miscellaneous Regulations of the Building and Housing Code of the Codified Ordinances of the City of Euclid is hereby repealed:

~~1749.01 MINIMUM DWELLING UNIT SIZE.~~

~~For purposes of this Building and Housing Code, a one, two or three family dwelling is intended to be occupied exclusively and continuously for residential use, and shall include a basement of not less than 400 square feet of floor area or a utility room of not less than 80 square feet of floor area, and that has a total finished livable floor area (exclusive of basement and utility room) of not less than 2,000 square feet per dwelling unit. (Ord. 122-1990, Passed 4-16-90; Ord. 216-2003, Passed 11-3-03.)~~

Section 2: That Section 1381.11 "Minimum Floor Area of a Single Family Dwelling" of Chapter 1381 Area Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby enacted to read as follows:

1381.11 MINIMUM FLOOR AREA OF A SINGLE FAMILY DWELLING

All single family and two family dwelling units shall be constructed to have a minimum livable floor area, excluding basement and utility room areas, based on their respective lot size as stated in the table below:

Lot Size	Floor area
Lots up to 10,000 square feet	1,250 square feet
Lots over 10,001 square feet	1,500 square feet

The above floor area requirement shall not apply in Attached Single Family Districts or to single family dwelling units approved under the terms of a Residential Planned Development per Section 1365.06 of the Euclid Zoning Code.

Section 3: That Section 1749.01 "Minimum Dwelling Unit Size" of Chapter 1749 Miscellaneous Regulations of the Building and Housing Code of the Codified Ordinances of the City of Euclid is hereby repealed and Section 1381.11 "Minimum Floor Area of a Single Family Dwelling" of Chapter 1381 Area Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid is hereby enacted.

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 – Planning & Zoning Commission

A resolution granting a Use District Exception pursuant to Chapters 1375.01(a)(3) and 1359.03(e)(6) of the Codified Ordinances of the City of Euclid, to applicants Sergio DiFranco, owner of Adeliros Contracting, and Gianmichele Bruno, owner of Cemex Construction, to establish and operate plumbing and concrete contractor businesses in two existing vacant buildings at 26110 Euclid Avenue, Euclid, Ohio 44132, Permanent Parcel Number 648-51-002 a U4-Local retail or Wholesale Store District.

WHEREAS, at its meeting on July 9, 2019 the Planning and Zoning Commission approved a Use District Exception to applicants Sergio DiFranco, owner of Adeliros Contracting, and Gianmichele Bruno, owner of Cemex Construction, to establish and operate plumbing and concrete contractor businesses in two existing vacant buildings subject to various conditions on said approval; 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

WHEREAS, pursuant to Section 1301.12(b) of the Euclid Codified Ordinances provides that The Commission may impose such requirements and conditions regarding the location, character and other features of the proposed uses or structures as the Commission deems necessary to carry out the intent and purpose of the Zoning Code and to otherwise safeguard the public safety and welfare; 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 Chapters 1375.01(a)(3) and 1359.03(e)(6) of the Codified Ordinances of the City of Euclid, to applicants Sergio DiFranco, owner of Adeliros Contracting, and Gianmichele Bruno, owner of Cemex Construction, to establish and operate plumbing contractor and concrete contractor businesses in two existing vacant buildings at 26110 Euclid Avenue, Euclid, Ohio 44132, Permanent Parcel Number 648-51-002 a U4-Local retail or Wholesale Store District.

Section 2: That the following conditions shall apply to all outdoor storage and parking areas associated with buildings and uses authorized by this use District Exception at 26110 Euclid Avenue, Euclid Ohio 44132, Permanent Parcel Number 648-51-002 a U4-Local retail or Wholesale Store District.

- (1) No storage of supplies or materials are to be placed north of the two buildings;
- (2) No heavy duty construction vehicles including concrete mixing trucks, excavators or other unlicensed vehicles are to be parked or stored overnight in the general parking lot; and
- (3) The issuance of a final Certificate of Occupancy shall be contingent upon meeting all landscaping requirements required by the Architectural Review Board.

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 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Councilperson Wojtila (by request)

An ordinance authorizing the Mayor of the City of Euclid or her designee to exercise the option for renewal of the current contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and weekly recycling pick-up for the City of Euclid from January 1, 2020 through December 31, 2024.

WHEREAS, Kimble Recycling and Waste Disposal, Inc. has provided solid waste collection and disposal for the City of Euclid since March 1, 2010; and

WHEREAS, the most recent contract between the City of Euclid and Kimble Recycling and Waste Disposal, Inc. spanned from January 1, 2014 through December 31, 2019, and included an option for renewal for a period of five (5) years during which period Kimble would provide weekly unlimited solid waste and recycling collection at each eligible residence and certain municipal facilities; and

WHEREAS, working with the Cuyahoga County Solid Waste District, the Director of Public Service has examined pricing in and outside the county and the most economical option for the City of Euclid would be to exercise the five (5) year extension with Kimble Recycling and Waste Disposal, Inc; and

WHEREAS, each year, the contract will adjust based upon the Consumer Price Index; and

WHEREAS, the Council hereby waives competitive bidding based upon the cost saving to the City through the contract extension; and

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 her designee to exercise the option for renewal of the current contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of solid waste materials and weekly recycling pick-up for the City of Euclid from January 1, 2020 through December 31, 2024.

Section 2: That the contract be approved by the Director of Law.

Section 3: That funds to pay for this expenditure be derived from the General Fund and then subsidized by collecting a portion of the total from each household in bi-annual assessments approved by Council.

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:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance authorizing the Mayor, as Ex-Officio Director of Public Safety of the City of Euclid, or her designee, to accept and expend a grant in the amount of \$110,979.00 for three (3) new cardiac heart monitors for use by the Euclid Fire Department.

WHEREAS, in October 2018, the Euclid Fire Department (EFD) submitted an application to FEMA's Assistance to Firefighters Grant (AFG) Program for new cardiac monitors, and

WHEREAS, on September 18, 2019, the EFD was notified that their application had been selected for funding; and

WHEREAS, as a result, the EFD has been awarded \$100,890.00 from the AFG Program for the purchase of three (3) new cardiac monitors for use by the Euclid Fire Department that meet current national standards for prehospital cardiac care. This amount is 90% of the project cost of \$110,979.00; and

WHEREAS, as a requirement of the AFG Program, a 10% cost match is required by the City of Euclid. This amount equates to \$10,089.00.

NOW, THEREFORE, be it ordained 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, or her designee, to accept and expend a grant in the amount of \$110,979.00 for three (3) new cardiac heart monitors for use by the Euclid Fire Department.

Section 2: Funds to pay for the 10% match, not to exceed \$10,089.00, 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 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: Councilperson McIntosh

A resolution creating a Domestic Violence Task Force which shall examine issues relating to domestic violence and make recommendations regarding administrative and legislative issues relating to domestic violence.

WHEREAS, domestic violence is a growing nationwide concern; and

WHEREAS, local efforts to address this problem would be best served by the creation of a coordinating task force;

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

Section 1. That there is hereby established a Domestic Violence Task Force and the general purpose of shall be as follows:

- a) To effectuate coordination between agencies, departments, the courts and community with victims of domestic violence and abuse; and
- b) To promote continuing education for City Departments and examine best practices within surrounding communities; and
- c) To promote effective prevention, intervention, and treatment techniques which will be developed based upon research and data collection; and
- d) To improve the response to domestic violence and abuse so as to reduce incidents thereof.

Section 2. That the Domestic Violence Task Force shall consist of members from the Mayor's office, Law, Police and Fire Departments, City Council, the Courts, Probation and County Advocacy groups.

Section 3. That a member of the Task Force shall be the ex-officio secretary of the Task Force and shall be responsible for providing secretarial assistance to the council.

Section 4. That the meetings of the Task Force may be scheduled monthly but shall be scheduled no less than four times per year.

Section 5. That the duties of the Task Force shall be as follows:

- a) Examine ways in which agencies and departments in Euclid and the courts respond to domestic violence and abuse in order to improve that response;
- b) Research and review other regional municipalities' best practices and response to domestic violence and abuse in order to effectuate the City's response;
- c) Improve the cooperation and coordination among all participants in the justice system who deal with domestic violence and abuse;
- d) Make recommendations to the Mayor's office, agencies, departments, the courts, probation and others regarding improving the response to domestic violence and abuse;
- e) Examine and review legislation that relates to domestic violence and abuse and recommend appropriate action;
- f) Respond to related matters referred to the Task Force by City Council; and
- g) Subject to the approval of the City Council and Mayor, request information, services, facilities, and other assistance from City departments for the purpose of furthering the objectives of the Task Force.

Section 6. That the Task Force may report to the City Council on its progress and shall indicate proposed goals for the future. Should the Task Force conclude that there is no further work for the Task Force, it shall report to the Mayor and request that the Task Force be disbanded.

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 take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

RESOLUTION OF CONGRATULATIONS

A resolution of congratulations to **Lieutenant Richard Storey** of the City of Euclid Fire Department for receiving the 2019 Ohio Fire Service Valor Award by the Ohio Department of Commerce's Division of State Fire Marshal.

WHEREAS, on the night of February 12, 2019, while off duty and driving home with his children, **Lt. Storey** witnessed two cars collide on Interstate 90; and

WHEREAS, **Lt. Storey** quickly and bravely positioned his own vehicle to protect the driver thrown from one of the vehicles onto the highway from oncoming traffic; and

WHEREAS, **Lt. Storey** then tended to the occupants in the other vehicle which had caught fire after crashing into a guard rail. He found two occupants unconscious and trapped in the vehicle. Due to the heroic efforts of **Lt. Storey** and a bystander, the two injured people were safely removed from the wreckage; and

WHEREAS, **Lt. Storey** has demonstrated outstanding efforts like this during his 29 year career with the City of Euclid Fire Department as evidenced by the numerous letters of appreciation from citizens and multiple letters of commendation from his superior officers he has received; and

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

Section 1: That this Council and Administration do hereby honor and extend congratulations to **Lieutenant Richard Storey** of the City of Euclid Fire Department for receiving the 2019 Ohio Fire Service Valor Award by the Ohio Department of Commerce's Division of State Fire Marshal.

Section 2: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to **Lieutenant Richard Storey**.

Section 3: That this resolution shall take immediate effect.

Resolution No.

By - Mayor Holzheimer Gail, Councilpersons
Mancuso, Caviness, Gorshe, Hill
Jarosz, Langman, McIntosh, Moore, Wojtila

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor