

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

**COUNCIL MINUTES:** None at this time

**ADMINISTRATION REPORTS & COMMUNICATIONS:**

**COMMITTEE DOCUMENTATION:**

- Board of Control dated: October 28, 2019
- Council Work Session held October 21, 2019
- Executive and Finance Committee meeting held October 23, 2019
- Public Safety Committee meeting held October 30, 2019

**COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY**

<b>ACTION</b>	<b>LEGISLATION</b>	<b>PROPOSED</b>
<b>First Reading</b>	<p>1. An ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase and Sale Agreement to sell the properties at Century Corners, 26600 Euclid Avenue, Euclid OH (PPNs 648-42-004 and PPN 648-42-002) to Celebration Village at Providence Park, LLC for the development of an age-in-place retirement community. (Sponsored by Mayor Holzheimer Gail)</p> <p><b>Comment: This would authorize the sale of city-owned parcels for development of Celebration Village at Providence Park.</b></p>	<p>Ord. (112-19)</p>
<b>First Reading</b>	<p>2. A resolution authorizing the amendment of the consent judgment with Providence Baptist Church to allow for a new development project called Celebration Village at Providence Park. (Sponsored by Mayor Holzheimer Gail)</p> <p><b>Comment: This would authorize an amendment of the consent judgment on a prior lawsuit concerning property of Providence Baptist Church.</b></p>	<p>Res. (113-19)</p>
	<p>3. An ordinance authorizing the Director of Recreation to enter into a four year agreement with Bench Craft Company, P.O. Box 6343, Portland, OR 97228, to replace 18 tee signs and install a new display board at Briardale Greens Golf Course. (Sponsored by Councilperson Hill by request of the Director of Recreation)</p> <p><b>Comment: This would replace 18 tee signs and install a new display board at Briardale Greens Golf Course at no cost to the city.</b></p>	<p>Ord. (114-19)</p>

4. An ordinance authorizing the Director of Law of the City of Euclid to renew the lease agreement with the Greater Cleveland Regional Transit for the dog park for three (3) years or until September 30, 2022. (Sponsored by Mayor Holzheimer Gail) Ord. (115-19)

**Comment: This would renew the lease with RTA for the dog park.**

5. An ordinance authorizing the Director of Finance to enter into a professional services contract with Fire Recovery USA, LLC, 2271 Lava Ridge Court, Suite 120, Roseville, CA 95661, to provide billing services for a one (1) year period commencing January 1, 2020 and ending December 31, 2020 with an option to renew for 3-one year periods. (Sponsored by Mayor Holzheimer Gail) Ord. (116-19)

**Comment: This would contract for collections for certain emergency and non-emergency services of the EFD.**

## **COMMITTEE OF THE WHOLE – PUBLIC PORTION**

### **COUNCIL MEMBERS' COMMENTS**

### **ADJOURNMENT**

Ordinance No.

By: Mayor Holzheimer Gail

An ordinance authorizing the Mayor of the City of Euclid to enter into a Purchase and Sale Agreement to sell the properties at Century Corners, 26600 Euclid Avenue, Euclid OH (PPNs 648-42-004 and PPN 648-42-002) to Celebration Village at Providence Park, LLC for the development of an age-in-place retirement community.

WHEREAS, Resolution No. 13-2000, passed by Euclid City Council on January 18, 2000, authorizes the Mayor of the City of Euclid to offer for sale the entire Village of Euclid property for private development, or to sell individual lots; and

WHEREAS, the City of Euclid acquired parcels 648-42-004 and 648-42-002 for the purposes of redevelopment of the area now known as Century Corners; and

WHEREAS, parcel 648-42-004 is a 2.0 acre lot that has been marketed as available for purchase through internet listing services, on-site signage, and direct outreach to potential buyers; and

WHEREAS, parcel 648-42-002 is an irregularly shaped parcel of .641 acres that is adjacent to the proposed development and is not needed by the City of Euclid; and

WHEREAS, Celebration Village at Providence Park, LLC seeks to purchase parcels 648-42-004 and 648-42-002 for one hundred thousand dollars (\$100,000.00) to combine with other acquired properties to construct a new development thereby putting the property into productive use and creating new employment positions within the City of Euclid; and

WHEREAS, the proposed sale price is fair and just and in accordance with Euclid Codified Ordinance 109.04(b)(3) upon negotiations ratified or authorized by Council with a developer for redevelopment.

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

Section 1: That the Mayor of the City of Euclid is hereby authorized to enter into a Purchase and Sale Agreement to sell the properties at Century Corners, 26600 Euclid Avenue (PPNs 648-42-004 and PPN 648-42-002) to Celebration Village at Providence Park, LLC for the development of an age-in-place retirement community.

Section 2: That negotiations with parcels 648-42-004 and 648-42-002 for the sale of parcels 648-42-004 and 648-42-002 for one hundred thousand dollars (\$100,000.00) are hereby ratified in accordance with Euclid Codified Ordinance 109.04(b)(3).

Section 3: That the Purchase and Sale Agreement shall be approved by the Law Director.

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:

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Clerk of Council

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President of Council

Passed:

Approved:

Effective:

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Mayor

Resolution No.

By – Mayor Holzheimer Gail

A resolution authorizing the amendment of the consent judgment with Providence Baptist Church to allow for a new development project called Celebration Village at Providence Park.

WHEREAS, as a result of litigation filed in the United States District Court, case 1:04 CV 0746, the City and Providence Baptist Church were subject to a consent judgment concerning the overall development project on the property of Providence Baptist Church; and

WHEREAS, the United States District Court held the consent judgment may be amended by agreement of the City and Providence Baptist Church; and

WHEREAS, previously in 2007-2008, the City and Providence Baptist Church needed to amend the consent judgment as there was a change in the original development project and Council authorized the Law Director to amend the consent judgment through Resolution 165-2008; and

WHEREAS, there is now a new development project proposed by Providence Baptist Church called Celebration Village at Providence Park, and the parties have reached an agreement on the amendments of the consent judgment concerning this new project.

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

Section 1: That this Council does hereby authorize the amended consent judgment with Providence Baptist Church to allow for a new development project called Celebration Village at Providence Park as outlined in the "Amended and Restated Consent Judgment," a copy of which is on file with the Clerk of Council.

Section 2: That the Director of Law is authorized to execute any document necessary to implement the amendment to the consent judgment.

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:

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Clerk of Council

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President of Council

Passed:

Approved:

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Mayor

Ordinance No.

By – Councilperson Hill (by request)

An ordinance authorizing the Director of Recreation to enter into a four year agreement with Bench Craft Company, P.O. Box 6343, Portland, OR 97228, to replace 18 tee signs and install a new display board at Briardale Greens Golf Course.

WHEREAS, the current tee signs at Briardale Greens Golf Course are aged and weathered and need replacing; and

WHEREAS, Bench Craft Company provides these fixtures at no charge by soliciting advertising from local markets that will pay for production, installation and maintenance of the products for the contracted period of time; and

WHEREAS, the new display board placed at the Clubhouse/Golf Shop would feature an aerial view of the course, local rules and official scorecard for reference; and

WHEREAS, these installations will be completed in time for the 2020 golf season.

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

Section 1: That the Director of Recreation is hereby authorized to enter into a four year agreement with Bench Craft Company, P.O. Box 6343, Portland, OR 97228, to replace 18 tee signs and install a new display board at Briardale Greens Golf Course.

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 and after the earliest period allowed by law.

Attest:

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Clerk of Council

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President of Council

Passed:

Approved:

Effective:

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Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An ordinance authorizing the Director of Law of the City of Euclid to renew the lease agreement with the Greater Cleveland Regional Transit for the dog park for three (3) years or until September 30, 2022.

WHEREAS, in 2011, the City approached the Greater Cleveland Regional Transit Authority regarding plans to locate a dog park on property formerly used by the City as a recreation field; and

WHEREAS, Ordinance 123-2011 authorized the Director of Law to negotiate a lease for such purposes and said lease was affirmed by Euclid City Council in Ordinance 24-2013; and

WHEREAS, the administration and RTA would like to extend the lease of the dog park for another three (3) years or until September 30, 2022.

WHEREAS, the annual lease for rental of the dog park is three thousand four hundred and twenty five dollars (\$3,425.00).

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

Section 1: That the Director of Law is authorized to extend the lease agreement with the Greater Cleveland Regional Transit Authority for a portion of the area known as Sportsman Park, being permanent parcel number 647-09-009, and situated in the City of Euclid for use as a City sponsored dog park with the lease being substantially in form as the agreement on file with the Clerk of Council through September 30, 2022.

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:

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Clerk of Council

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President of Council

Passed:

Approved:

Effective:

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Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An ordinance authorizing the Director of Finance to enter into a professional services contract with Fire Recovery USA, LLC, 2271 Lava Ridge Court, Suite 120, Roseville, CA 95661, to provide billing services for a one (1) year period commencing January 1, 2020 and ending December 31, 2020 with an option to renew for 3-one year periods.

WHEREAS, Emergency responses continue to increase each year creating additional demands and expenses on all operational aspects of services provided by the Euclid Fire Department.

WHEREAS, Opportunities to recoup certain costs exist and should be implemented, and The Euclid Fire Department desires to implement a fair and equitable procedure by which to recoup certain costs associated with emergency and non-emergency service delivery; and

WHEREAS, The Euclid Fire Department desires to enter into an agreement with Fire Recovery USA, LLC to establish a billing system in accordance with applicable laws, regulations and guidelines; and

WHEREAS, the services to which Fire Recovery USA, LLC will attempt to recoup will include: house fires, motor vehicle accidents, car fires, Haz-Mat response, water incidents, etc.; and

WHEREAS, A claim shall be filed with the responsible party(s) through his/her insurance carrier; and

WHEREAS, The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable which may include any services, supplies, and equipment and with baselines established by addendum to the agreement; and

WHEREAS, Fire Recovery USA provides 80% of all funds collected to the City of Euclid and assesses a collection fee of 20% throughout the contract period.

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

Section 1: That the Director of Finance is authorized to enter into a professional services contract with Fire Recovery USA, LLC, 2271 Lava Ridge Court, Suite 120, Roseville, CA 95661, to provide billing services for a three (3) year period commencing January 1, 2020 and ending December 31, 2022, upon the terms and conditions contained in the agreement on file with the Clerk of Council 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 and after the earliest period allowed by law.

Attest:

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Clerk of Council

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President of Council

Passed:

Approved:

Effective:

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Mayor