

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, FEBRUARY 1, 2021 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: January 19, 2021

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Board of Control meeting held: January 19 & January 25, 2021
- Business Development, City Planning and Housing Committee held January 27, 2021

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

ACTION	LEGISLATION	PROPOSED
Second Reading	<p>1. An ordinance authorizing the Mayor of the City of Euclid to enter into a Real Estate Purchase and Development Agreement to sell the property located at 21331 Wilmore Avenue, Euclid, Ohio (Permanent Parcel Nos. 642-24-112 through 642-24-123) to Frank Amato, President, Amato Homes, for the purpose of new residential construction. (Sponsored by Councilperson Jarosz)(Sent to Business Development, City Planning and Housing Committee and referred back to Council with recommendation for passage)</p> <p>Comment: This would authorize the sale of landbank lots for future development.</p>	Ord. (002-21)
	<p>2. An ordinance authorizing the sale of Permanent Parcel Numbers 649-06-004 & 005, vacant land at 1784 Buena Vista Drive, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) per parcel as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning and Zoning)</p> <p>Comment: This would authorize the sale of a landbank lot.</p>	Ord. (008-21)
	<p>3. An ordinance authorizing the sale of Permanent Parcel Number 650-13-009, vacant land at 1720 East 236th Street, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning and Zoning)</p> <p>Comment: This would authorize the sale of a landbank lot.</p>	Ord. (009-21)
	<p>4. A resolution authorizing the Mayor of the City of Euclid or her designee to apply, accept and expend a Three Hundred Thousand and 00/100 (\$300,000.00) grant from The Cleveland Foundation for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan. (Sponsored by Mayor Holzheimer Gail)</p> <p>Comment: This would authorize the application, acceptance and expense of a grant from the Cleveland Foundation for the Waterfronts Improvement Plan.</p>	Res. (010-21)

5. A resolution authorizing the Mayor of the City of Euclid to accept and expend funding from the FY 2020-2021 State of Ohio Capital Budget in the amount of Seven Hundred Eighty Four Thousand Dollars and 00/100 (\$784,000.00) for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan. (Sponsored by Mayor Holzheimer Gail) Res. (011-21)

Comment: This would authorize the acceptance and expense of funding received from the State Capital Budget for the Waterfronts Improvements Plan.

6. An emergency ordinance to approve the editing and inclusion of certain ordinances and resolutions as parts of the various component codes of the codified ordinances; to provide for the adoption and publication of new matter in the updated and revised codified ordinances; and to repeal ordinances and resolutions in conflict therewith. (Sponsored by Entire Council) Ord. (012-21)

Comment: This authorizes the code changes to Euclid Codified Ordinances that have been passed by Euclid City Council.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

STATE OF THE CITY ADDRESS MAYOR HOLZHEIMER GAIL

The Euclid City Council meeting for this February 1, 2021 beginning at 7:00 p.m. will be held electronically. This is permissive per the Ohio legislature's passage of Amended House Bill 404, which extends the temporary authorizations that public bodies received in H.B. 197 to meet remotely, now with a July 1, 2021 expiration date.

The public shall have access by choosing any of the following options.

Live Viewing can be done on:

Spectrum, Channel 1020

U-Verse, Channel 99

ECTV LIVE (Link located on the front page of www.cityofeuclid.com)

You can also listen to the council meeting as a Zoom Webinar by calling 301-715-8592. The meeting ID is 979 0908 6711. You may also click on the Zoom Webinar link provided on the City Council page of the website to view and listen via your electronic device.

This meeting is held via the Zoom Webinar function which enables participants to listen and/or speak if you choose. Reservations are required to speak at either or both of the public portions of the meeting.

Reservations for the **“Committee of the Whole for Legislative Matters Only”** are due no later than 6pm on February 1, 2021.

Reservations for the **“Committee of the Whole – Public Portion”** are due prior to the last agenda item.

Please email Kristal Grida at kgrida@cityofeuclid.com or call 216-289-8268 to make your reservation.

Reservations are required to protect your call-in number from public view.

In all cases, please remember comments and questions are limited to five (5) minutes per E.C.O. 121.18.

Ordinance No.

By- Councilperson Jarosz

An ordinance authorizing the Mayor of the City of Euclid to enter into a Real Estate Purchase and Development Agreement to sell the property located at 21331 Wilmore Avenue, Euclid, Ohio (Permanent Parcel Nos. 642-24-112 through 642-24-123) to Frank Amato, President, Amato Homes, for the purpose of new residential construction.

WHEREAS, Ordinance No. 98-2018 authorized the City to acquire the property at 21331 Wilmore Avenue, Euclid, Ohio (Permanent Parcel Nos. 642-24-112 through 642-24-123) containing 1.363 acres and located in a U2 Two Family House zoning district from the Euclid City School District at a cost of One Dollar (\$1.00) for the public purpose of urban redevelopment in the Western Neighborhoods' Primary Investment Target Area as identified by the 2016 Euclid Master Plan; and

WHEREAS, the City of Euclid acquired the aforementioned site at a cost of One Dollar (\$1.00) in 2018 and subsequently demolished the school structure using Cuyahoga County Property Demolition Funds in order to ready the site for redevelopment; and

WHEREAS, Resolution No. 74-2020 authorized the City to issue a public Request for Qualifications to identify potential development partners for the aforementioned site. Home builder Frank Amato, President, Amato Homes, submitted a response to the City's subsequent developer's survey; and

WHEREAS, Amato Homes seeks to purchase Permanent Parcel Nos. 642-24-112 through 642-24-123 for the total price of One Dollar (\$1.00) for the purpose of constructing multiple single-family detached homes on the site, thereby relieving the City of future maintenance by returning the site to productive use, creating new housing opportunities as well as anticipated income tax revenue. An incentive of seven (7) years property tax abatement typical of new residential construction shall be granted by the City; and

WHEREAS, the proposed property sale price is fair and just due to the conditions to be placed on the property sale including: the buyer shall be required to split a width of land up to 12'-0" from the western-most side of the property to be consolidated with the adjacent land owners' parcel; the buyer shall be required through a reversionary clause giving the City of Euclid the right to acquire for One Dollar (\$1.00) any portion of the property that is not developed with a single-family house within five years of title transfer; the buyer shall be required per City Code Section 909.17 to plant trees within or proximate to the tree lawn; the buyer shall be required to bury new utilities and connections underground; and

WHEREAS, upon Council recommendation, the proposed site and architectural plans shall be developed and submitted to the Planning and Zoning Commission and Architectural Review Board for approval; and

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 authorized to enter into a Real Estate Purchase and Development Agreement to sell the property located at 21331 Wilmore Avenue, Euclid, Ohio (Permanent Parcel Nos. 642-24-112 through 642-24-123) to Frank Amato, President, Amato Homes, for the purpose of new residential construction for the price of One Dollar (\$1.00).

Section 2: That the Purchase and Development Agreement shall be approved and kept on file by the Law Director.

Section 3: That proceeds of the sale shall be deposited into the City of Euclid's 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 resolution 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 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

Ordinance No.

By – Planning and Zoning Commission

An ordinance authorizing the sale of Permanent Parcel Numbers 649-06-004 & 005, vacant land at 1784 Buena Vista Drive, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) per parcel 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, 2021 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Numbers 649-06-004 & 005 to Michelle Sailes, for the amount of One Dollar (\$1.00) per parcel; and

WHEREAS, Michelle Sailes desires to purchase the 649-06-0004 & 005 parcels for the development of one (1) detached single family home; and

WHEREAS, the sale is recommended with the conditions the property is consolidated within one (1) year of the property transfer and the construction of the home commences within one (1) year of the property transfer; 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; and

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

Section 1: That the sale of Permanent Parcel Numbers 649-06-004 & 005, vacant land at 1784 Buena Vista Drive, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) per parcel with the conditions the property is consolidated within one (1) year of the property transfer and the construction of the home commences within one (1) year of the property transfer, as authorized by Ordinance Nos. 98-2010 and 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 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 – Planning and Zoning Commission

An ordinance authorizing the sale of Permanent Parcel Number 650-13-009, vacant land at 1720 East 236th Street, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) 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, 2021 the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 650-13-009 to Michelle Sailes, for the amount of One Dollar (\$1.00); and

WHEREAS, Michelle Sailes desires to purchase the 650-13-009 parcel for the development of one (1) detached single family home; and

WHEREAS, the sale is recommended with the condition the construction of the home commences within one (1) year of the property transfer; 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; and

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 650-13-009, vacant land at 1720 East 236th Street, from the Euclid Land Bank, to Michelle Sailes, for the amount of One Dollar (\$1.00) with the condition the construction of one (1) detached single family home commences within one (1) year of the property transfer, as authorized by Ordinance Nos. 98-2010 and 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 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

A resolution authorizing the Mayor of the City of Euclid or her designee to apply, accept and expend a Three Hundred Thousand and 00/100 (\$300,000.00) grant from The Cleveland Foundation for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan.

WHEREAS, Euclid City Council adopted the Euclid Waterfront Improvements Plan as an official addendum to the City's Master Plan in 2009. Phase II of the multi-phased plan began construction in 2018 with Phase II – West. Phase II – East began construction in 2020; and

WHEREAS, The Cleveland Foundation previously funded the City of Euclid to hire a Waterfront fundraising consultant, Western Reserve Land Conservancy, which resulted in the successful acquisition of property for permanent park conservation and the launch of the project's capital campaign; and

WHEREAS, in January 2021, the City of Euclid submitted an inquiry to the grantmaking organization. Upon reviewing the inquiry, The Cleveland Foundation invited Euclid to make a full application in the amount of Three Hundred Thousand and 00/100 (\$300,000.00) for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan. Matching funds are not required.

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

Section 1: That the Mayor or her designee is hereby authorized to apply, accept and expend a Three Hundred Thousand and 00/100 (\$300,000.00) grant from The Cleveland Foundation for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan.

Section 2: That all agreements shall be kept on file with the Department of Planning and Development.

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.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By: Mayor Holzheimer Gail

A resolution authorizing the Mayor of the City of Euclid to accept and expend funding from the FY 2020-2021 State of Ohio Capital Budget in the amount of Seven Hundred Eighty Four Thousand Dollars and 00/100 (\$784,000.00) for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan.

WHEREAS, Euclid City Council adopted the Euclid Waterfront Improvements Plan as an official addendum to the City's Master Plan in 2009. Phase II of the multi-phased plan began construction in 2018 with Phase II – West. Phase II – East began construction in 2020; and

WHEREAS, Ohio State Senator Kenny Yuko invited the submission of applications to his office for community park, recreation and conservation projects in December 2019. Euclid City Council Resolution No. 121-2019 supported an application to the FY 2020-2021 State of Ohio Capital Budget for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan; and

WHEREAS, the State Capital Bill, House Bill 310, was signed into law on December 29, 2020. The FY 2020-2021 State of Ohio Capital Budget includes an allocation of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00) awarded to the City of Euclid for the purposes of constructing the eastern portion of Phase II of the Euclid Waterfront Improvements Plan; and

WHEREAS, the Ohio Department of Natural Resources (ODNR) was designated as the pass-thru grantor for the award and per the legislation is authorized to withhold 2% as an administrative fee on community park, recreation and conservation projects. Therefore, the City of Euclid's actual reimbursable award is Seven Hundred Eighty Four Thousand Dollars and 00/100 (\$784,000.00).

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 accept and expend funding from the FY 2020-2021 State of Ohio Capital Budget in the amount of Seven Hundred Eighty Four Thousand Dollars and 00/100 (\$784,000.00) for construction of the eastern portion of Phase II of the Euclid Waterfront Improvements Plan.

Section 2: That all agreements shall be kept on file with the Department of Planning and Development.

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.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – The Entire Euclid City Council

AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, American Legal Publishing has completed its 2020 updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2019) have been included in the Codified Ordinances of the City; and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law; and

WHEREAS, an emergency exists in that it is immediately necessary to have an up-to-date Code of Ordinances that is consistent with current State law, as required by the Ohio Constitution, in order to administer the affairs of the City and to ensure law and order:

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

Section 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
3-2020	1-6-20	125.06, Repeals 125.03
11-20	2-3-20	941.04, 941.05
17-2020	2-18-20	121.07, 121.15, 121.22, 121.32, 121.33
40-2020	4-20-20	333.01
55-2020	6-15-20	545.19
56-2020	6-15-20	121.06
61-2020	6-15-20	1759.04, Repeals 1759.05
62-2020	6-15-20	1705.01, 1705.10
71-2020	7-20-20	1590.17
90-2020	8-17-20	Repeals Ch. 555

Section 2: That the following sections are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

[Intentionally left blank]

Section 3: That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (a) The enactment of such new matter shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to September 21, 2020.

Section 4: That pursuant to Section 121.13 of the Codified Ordinances, the Clerk of Council is directed and authorized to post for a period of fifteen days a copy of this ordinance in the five public places as specified in Section 121.13. Pursuant to Article II, Section 5, of the City Charter, no further publication of this ordinance, or of the 2016 Replacement Pages hereby approved, adopted and enacted, shall be necessary.

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 meetings of any of the committees of Council that resulted in such formal action were 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, it shall be in full force and effect from and after its passage and approval; otherwise it 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