

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, DECEMBER 2, 2024 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

COUNCIL MINUTES:

- November 18, 2024

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Public Safety Committee Summary – November 13, 2024
- Council Work Session Summary – November 18, 2024
- Board of Control Minutes – November 11, 2024 and November 18, 2024

COMMITTEE OF THE WHOLE

LEGISLATION

ACTION

PROPOSED

1. A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21601 Edgecliff Drive, Euclid Ohio 44123, bearing Permanent Parcel Number 642-05-007. (Sponsored by Mayor Holzheimer Gail)

Comment: This would allow a shore structure to assist the residents with erosion control.

Res.
(142-24)
2. A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 27151 Edgecliff Drive, Euclid, Ohio 44132, bearing Permanent Parcel Number 645-03-026. (Sponsored by Mayor Holzheimer Gail)

Comment: This would allow a shore structure to assist the residents with erosion control.

Res.
(143-24)
3. A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21171 Edgecliff Drive, Euclid, Ohio 44123, bearing Permanent Parcel Number 642-03-001. (Sponsored by Mayor Holzheimer Gail)

Comment: This would allow a shore structure to assist the residents with erosion control.

Res.
(144-24)

4. An ordinance authorizing the Mayor and the Director of Planning and Development to enter into an interagency agreement not to exceed \$200,000.00 to administer pool, pool house, and park improvements at Memorial Pool through December 31, 2026. (Sponsored by Mayor Holzheimer Gail) Ord. (145-24)

Comment: This would authorize the Mayor and the Director of Planning and Development to enter into an interagency agreement using ARPA funds for improvements at Memorial Pool.

5. A resolution granting a Conditional Use Permit pursuant to Section 1359.03(d)(4) of the Codified Ordinances of the City of Euclid, to Kiara Williams, operating as Puzzle Peace Providers, LLC, to operate a day care facility at 27801 Euclid Avenue, a U8-Office Building, Permanent Parcel 648-30-001. (Sponsored by Planning and Zoning) Res. (146-24)

Comment: This would allow the operation of a day care facility in a U8- Office Building Use District.

6. An emergency 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, California 95661, to provide billing services for a three (3) year period commencing January 1, 2025 and ending December 31, 2027 related to emergency responses and services by the Euclid Fire Department. (Sponsored by Mayor Holzheimer Gail) Ord. (147-24)

Comment: This would authorize a three (3) year contract with Fire Recovery USA, LLC for billing services related to emergency response by the Euclid Fire Department.

7. An emergency ordinance authorizing the Director of Finance to enter into a professional services contract with Life Force Management, Inc., of Ravenna, Ohio, to provide ambulance billing services for a three (3) year period commencing January 1, 2025 through December 31, 2027. (Sponsored by Mayor Holzheimer Gail) Ord. (148-24)

Comment: This would authorize a three (3) year extension of the contract with Life Force Management, Inc. for ambulance billing services for responses by the Euclid Fire Department.

8. An emergency ordinance authorizing the Mayor of the City of Euclid or her designee to extend the contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of sludge, grit and screenings from the City of Euclid's Water Reclamation Facilities from January 1, 2025 through December 31, 2026. (Sponsored by Mayor Holzheimer Gail) Ord. (149-24)

Comment: This would authorize a two (2) year extension of the contract with Kimble Recycling and Waste Disposal, Inc. for disposal of sludge, grit and screenings from the city's water reclamation facilities.

9. A resolution supporting the application for the Assistance to Firefighters Grant (AFG), a federally funded grant offered through the Federal Emergency Management Agency (FEMA), that if awarded could provide funding directly to the City of Euclid to purchase radios, microphones, and charging stations for the Euclid Fire Department. (Sponsored by Mayor Holzheimer Gail) Res. (150-24)

Comment: This would be a resolution of support of an Assistance to Firefighters Grant for the Euclid Fire Department to purchase radios and related equipment.

**Second
Reading**

10. An ordinance enacting Section 501.31 Parental Responsibility of Chapter 501 General Provisions; Administration and Enforcement of the General Offenses Code of the Codified Ordinances for the City of Euclid to hold parents and guardians responsible for certain acts of minors. (Sponsored by Councilperson Jarosz) (To be referred to Safety Committee) (Referred back to Council by the Safety Committee with no recommendation) Ord. (078-24)

Comment: This would create a criminal penalty for parents/guardians whose children commit crimes within the City of Euclid.

**COUNCIL MEMBERS' COMMENT
ADJOURNMENT**



585 EAST 222ND STREET, EUCLID, OHIO 44123-2099

www.cityofeuclid.com

Board of Control

The Board of Control of the City of Euclid met on Monday November 11, 2024 in the Council Chambers to consider business to come before the Board. Chairwoman Holzheimer-Gail called the meeting to order at 4:00 p.m.

ROLL CALL:

Kirsten Holzheimer-Gail, Chairwoman	(P)
Patrick Cooney, Law Director	(P)
Sheila Chiofolo, Assist Finance Director	(P)
Mac Stephens, Recreation Director	(P)
Patrick Grogan-Myers, Plann & Develop Director	(P)
Dan Knecht, Service Director	(P)
Richard Tolton, Council Representative	(E)

Motion to excuse councilman Tolton moved by Director Stephens and seconded by Assistant Director Chiofolo. Motion passed unanimously.

ALSO PRESENT:

ADD TO AGENDA:

MINUTES: Monday November 4, 2024

Moved by Director Knecht and seconded by Director Cooney to approve the minutes of November 4, 2024. Motion passed unanimously.

BID OPENING:

TABULATIONS/RECOMMENDATIONS/AWARDS PENDING:

RECOMMENDATION:

FUTURE BID OPENINGS: Emergency Repairs to Sewers, Sludge Lines and Streets November 18, 2024

REQUISITIONS:

Lexipol LLC
Amount: \$9,592.20
Fire Policy Manual & Daily Bulletins

Moved by Assistant Director Chiofolo and seconded by Chairwoman Holzheimer- Gail, in the amount of \$9,592.20. Motion passed unanimously.

November 11, 2024

Relmec Mechanical LLC
Amount: \$29,762.22
Emergency Repairs for City Hall HVAC & Chiller Barrell

Moved by Assistant Director Chiofolo and seconded by Director Knecht in the amount of \$29,762.22. Motion passed unanimously.

GOVDEALS.COM:

CHAIRMAN'S REPORT:

OTHER BUSINESS:

ADJOURNMENT:

Motion to adjourn moved by Director Grogan-Myers and seconded by Director Knecht. Motion passed unanimously. This meeting adjourned at 4:02pm.

Chairman

Secretary



585 EAST 222ND STREET, EUCLID, OHIO 44123-2099

www.cityofeuclid.com

Board of Control

The Board of Control of the City of Euclid met on Monday November 18, 2024 in the Council Chambers to consider business to come before the Board. Chairwoman Holzheimer-Gail called the meeting to order at 4:00 p.m.

ROLL CALL:

Kirsten Holzheimer-Gail, Chairwoman	(P)
Patrick Cooney, Law Director	(P)
James Smith, Finance Director	(P)
Mac Stephens, Recreation Director	(P)
Patrick Grogan-Myers, Plann & Develop Director	(P)
Dan Knecht, Service Director	(P)
Dontea Gresham, Council Representative	(E)

Motion to excuse councilman Gresham moved by Director Stephens and seconded by Director Smith. Motion passed unanimously.

ALSO PRESENT: Fire Chief Womack

ADD TO AGENDA: Verizon Wireless

Motion to add Verizon Wireless to the agenda moved by Chairwoman Holzheimer-Gail and seconded by Director Cooney. Motion passed unanimously.

MINUTES: Monday November 11, 2024

Moved by Director Stephens and seconded by Director Cooney to approve the minutes of November 11, 2024. Motion passed unanimously.

BID OPENING: Emergency Repairs to Sewers, Sludge Lines and Streets

Bids were received by the following 5 companies: (please see attached paperwork for bid schedules)

Terrace Construction
Trax Construction Co
Nerone & Sons Inc
Great Lakes Crushing
Fabrizi Trucking & Paving

Motion to accept the bids & move to tabulation moved by Director Knecht & seconded by Director Cooney. Motion passed unanimously.

TABULATIONS/RECOMMENDATIONS/AWARDS PENDING:

RECOMMENDATION:

FUTURE BID OPENINGS:

November 18, 2024

REQUISITIONS:

Lancaster Acquisition
Amount: \$33,995.00
Purchase of Galion 133USD-11 Steel Dump Body for Streets Dept

Moved by Director Smith and seconded by Director Knecht in the amount of \$33,995.00. Motion passed unanimously.

Lancaster Acquisition
Amount: \$63,651.00
Purchase of Chevy Silverado 4500 for Streets Dept

Moved by Director Smith and seconded by Director Knecht in the amount of \$63,651.00. Motion passed unanimously.

Lancaster Acquisition
Amount: \$21,957.00
Purchase Vehicle for Planning & Development

Moved by Director Smith and seconded by Director Knecht in the amount of \$21,957.00. Motion passed unanimously.

Lancaster Acquisition
Amount: \$21,957.00
Purchase Vehicle for Planning & Development

Moved by Director Smith and seconded by Director Knecht in the amount of \$21,957.00. Motion passed unanimously.

Old World Tavern
Amount: \$50,000.00
Storefront Renovation Project for Old World Tavern

Moved by Director Smith and seconded by Director Grogan-Myers in the amount of \$50,000.00. Motion passed unanimously.

Warren Fire Equipment
Amount: \$26,312.00
Tools & Equipment

Moved by Director Smith and seconded by Chairwoman Holzheimer-Gail for Chief Womack in the amount of \$26,312.00. Motion passed unanimously.

The Public Safety Store LLC
Amount: \$11,610.00
Gloves

Moved by Director Smith and seconded by Chairwoman Holzheimer-Gail for Chief Womack in the amount of \$11,610.00. Motion passed unanimously.

November 18, 2024

Verizon Wireless
Amount: \$5,609.70
20 new Ipads, Keyboards & Otterbox

Moved by Director Smith and seconded by Chairwoman Holzheimer-Gail for Chief Womack in the amount of \$5,609.70.
Motion passed unanimously.

GOVDEALS.COM:

Item: 2006 Chevrolet Cobalt
Price: \$250.00
Duration: 10 Days

Item: 2006 Chevrolet Cobalt
Price: \$250.00
Duration: 10 Days

Motion to approve Gov Deals moved by Director Knecht and seconded by Director Grogan-Myers. Motion passed unanimously.

CHAIRMAN'S REPORT:

OTHER BUSINESS:

ADJOURNMENT:

Motion to adjourn moved by Director Stephens and seconded by Director Smith. Motion passed unanimously. This meeting adjourned at 4:12pm.

Chairman

Secretary

LEGAL NOTICE

THE CITY OF EUCLID, OHIO EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS

Notice is hereby given that sealed bids for the Emergency Repairs to Sewers, Sludge Lines, and Streets project will be received by the Service Department's Office of the City of Euclid 25200 Lakeland Blvd., Euclid, Ohio 44132 until 2:00 p.m., local time on Monday, November 18, 2024 for furnishing all labor and materials for the project in accordance with the specifications on file for inspection at the City of Euclid Office. The bids will be opened and read the same day at 4:00 p.m. at the Board of Control meeting. Electronic bid packages can be obtained by emailing David Neumeyer at The GPD Group dneumeyer@gpdgroup.com. Contact David Neumeyer at 330-572-2496 with questions.

Each bid must contain the name of every person, firm or corporation interested in same and shall be accompanied by a bid bond, certified check, or cashier's check drawn on a solvent bank in the State of Ohio, in the amount of ten percent (10%) of the bid, payable to the City of Euclid, as a guaranty that if the bid is accepted a contract pursuant thereto will be entered into and its performance properly secured. The check of the successful bidder will be returned upon proper execution and securing of the contract. The checks of the unsuccessful bidders will be returned after a contract has been awarded and entered into, or upon the rejection of all bids.

All contractors and subcontractors involved with the project will, to the extent practical, use Ohio products, materials, services and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972 and Governor's Amended Executive Order 84-9 is required. All contractors and subcontractors must be registered with the City. Bidders on this work will also be required to comply with Chapter 4115 of the Ohio Revised Code, pertaining to Wage and Hours on Public Works.

Bids shall be submitted in sealed envelopes for the project with the Project Name and Bidder contact information clearly marked on the outside.

Council reserves the right to reject any and all bids, waive any irregularities in the bids and accept the bid deemed most favorable to the City.

By order of the Council of the City of Euclid.

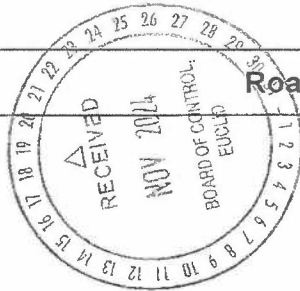
Daniel Knecht,
Director of Public Service

ADV: The Plain Dealer
November 1, 2024
November 8, 2024

**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

INSTRUCTIONS: Please complete the BID SCHEDULE legibly using ink pen. The BIDDER shall complete the UNIT COST for all items in the BID SCHEDULE. The City of Euclid will select two (2) contractors for the duration of the contract. The City will evaluate each task and request each contractor to submit a preliminary price, based on the unit bid price, and a proposed schedule. The city will then select the contractor based on price, and schedule (dependent on the urgency of the work).

Description	Unit	Unit Cost
Roadway		
1 LABORER	HR	\$ 71.00
2 TRADESMAN	HR	\$ 67.00
3 FOREMAN	HR	\$ 83.00
4 RUBBER TIRE BACKHOE w/OPERATOR 15' DEPTH	HR	\$ 98.00
5 RUBBER TIRE FRONT END LOADER w/OPERATOR 2 1/4 YARD BUCKET	HR	\$ 98.00
6 3/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 149.00
7 1 1/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 182.00
8 DUMP TRUCK - SINGLE AXLE w/OPERATOR	HR	\$ 77.00
9 DUMP TRUCK - TANDEM AXLE w/OPERATOR	HR	\$ 88.00
10 DUMP TRUCK - TRI-AXLE w/OPERATOR	HR	\$ 105.00
11 UTILITY AND TOOL PICK-UP TRUCK	DAY	\$ 150.00
12 AIR COMPRESSOR (185) w/HOSES AND TOOL	HR	\$ 22.00
13 TELEVISIONING SEWERS w/DVD AND REPORT	FT	\$ 4.00
14 2" PUMP w/HOSES	DAY	\$ 28.00
15 3" PUMP w/HOSES	DAY	\$ 39.00
16 4" PUMP w/HOSES	DAY	\$ 99.00
17 CHAIN SAW OR CUT-OFF SAW (GAS OPERATED)	DAY	\$ 22.00
18 BARRICADES w/FLASHER	DAY	\$ 4.00
19 STEEL ROAD PLATE (10'X10')	DAY	\$ 25.00



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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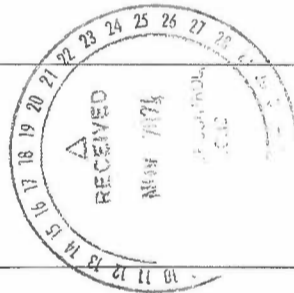
Description	Unit	Unit Cost
20 TRENCH BOX	DAY	\$ 85.00
21 PERCENTAGE MARK-UP FOR OVERHEAD AND PROFIT (ITEMS 1-18)	%	15%
22 PERCENTAGE MARK-UP FOR MATERIALS	%	10%
23 PERCENTAGE INCREASE FOR 2026 LABOR AND EQUIPMENT (ITEMS 1-21)	%	4%

Contractor:

TERRACE CONSTRUCTION COMPANY, INC.

Authorized Signature:

Michael J. Lato



Title:

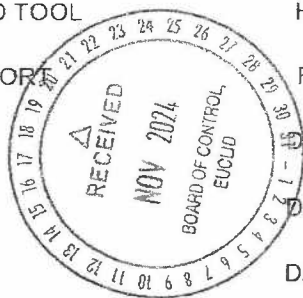
VICE PRESIDENT



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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Description	Unit	Unit Cost
Roadway		
1 LABORER	HR	\$ 70.00
2 TRADESMAN	HR	\$ 70.00
3 FOREMAN	HR	\$ 80.00
4 RUBBER TIRE BACKHOE w/OPERATOR 15' DEPTH	HR	\$ 82.00
5 RUBBER TIRE FRONT END LOADER w/OPERATOR 2 1/4 YARD BUCKET	HR	\$ 131.00
6 3/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 150.00
7 1 1/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 165.00
8 DUMP TRUCK - SINGLE AXLE w/OPERATOR	HR	\$ 73.00
9 DUMP TRUCK - TANDEM AXLE w/OPERATOR	HR	\$ 84.00
10 DUMP TRUCK - TRI-AXLE w/OPERATOR	HR	\$ 118.00
11 UTILITY AND TOOL PICK-UP TRUCK	DAY	\$ 140.00
12 AIR COMPRESSOR (185) w/HOSES AND TOOL	HR	\$ 20.00
13 TELEVISIONING SEWERS w/DVD AND REPORT	FT	\$ 4.00
14 2" PUMP w/HOSES	DAY	\$ 30.00
15 3" PUMP w/HOSES	DAY	\$ 40.00
16 4" PUMP w/HOSES	DAY	\$ 100.00
17 CHAIN SAW OR CUT-OFF SAW (GAS OPERATED)	DAY	\$ 20.00
18 BARRICADES w/FLASHER	DAY	\$ 4.50
19 STEEL ROAD PLATE (10'X10')	DAY	\$ 50.00



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

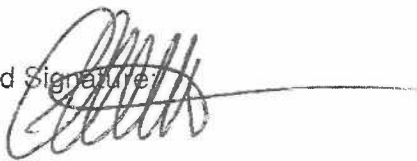
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Description	Unit	Unit Cost
20 TRENCH BOX	DAY	\$110.00
21 PERCENTAGE MARK-UP FOR OVERHEAD AND PROFIT (ITEMS 1-18)	%	15%
22 PERCENTAGE MARK-UP FOR MATERIALS	%	10%
23 PERCENTAGE INCREASE FOR 2026 LABOR AND EQUIPMENT (ITEMS 1-21)	%	6.5%

Contractor:

TRAX CONSTRUCTION COMPANY

Authorized Signature

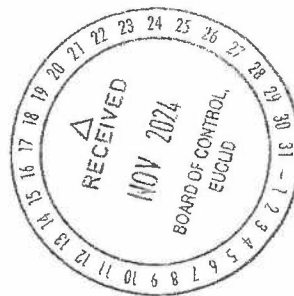


11/18/2024

CHRISTOPHER R. VALOTTO

Title:

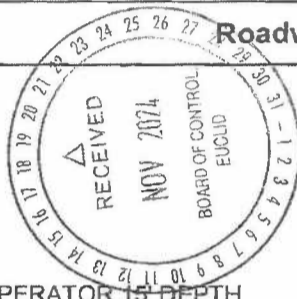
PRESIDENT



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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Description	Unit	Unit Cost
Roadway		
1 LABORER	HR	66.00
2 TRADESMAN	HR	66.00
3 FOREMAN	HR	84.00
4 RUBBER TIRE BACKHOE w/OPERATOR 15' DEPTH	HR	93.00
5 RUBBER TIRE FRONT END LOADER w/OPERATOR 2 1/4 YARD BUCKET	HR	121.00
6 3/4 YARD EXCAVATOR WITH OPERATOR	HR	147.00
7 1 1/4 YARD EXCAVATOR WITH OPERATOR	HR	168.00
8 DUMP TRUCK - SINGLE AXLE w/OPERATOR	HR	77.00
9 DUMP TRUCK - TANDEM AXLE w/OPERATOR	HR	92.00
10 DUMP TRUCK - TRI-AXLE w/OPERATOR	HR	124.00
11 UTILITY AND TOOL PICK-UP TRUCK	DAY	158.00
12 AIR COMPRESSOR (185) w/HOSES AND TOOL	HR	21.00
13 TELEVISIONING SEWERS w/DVD AND REPORT	FT	4.00
14 2" PUMP w/HOSES	DAY	27.00
15 3" PUMP w/HOSES	DAY	37.00
16 4" PUMP w/HOSES	DAY	105.00
17 CHAIN SAW OR CUT-OFF SAW (GAS OPERATED)	DAY	16.00
18 BARRICADES w/FLASHER	DAY	4.00
19 STEEL ROAD PLATE (10'X10')	DAY	48.00



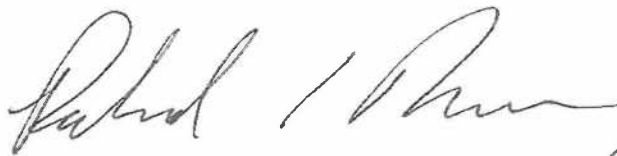
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EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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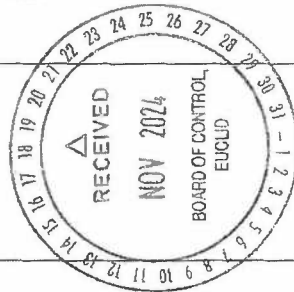
Description	Unit	Unit Cost
20 TRENCH BOX	DAY	105.00
21 PERCENTAGE MARK-UP FOR OVERHEAD AND PROFIT (ITEMS 1-18)	%	15%
22 PERCENTAGE MARK-UP FOR MATERIALS	%	10%
23 PERCENTAGE INCREASE FOR 2026 LABOR AND EQUIPMENT (ITEMS 1-21)	%	5%

Contractor: **Nerone & Sons, Inc.**

Authorized Signature:



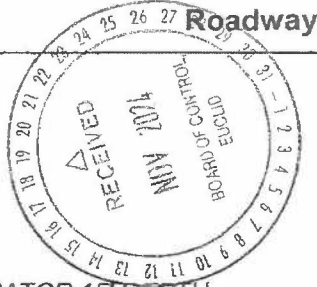
Title: **Sec./Treasurer**



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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Description	Unit	Unit Cost
1 LABORER	HR	\$ 68.40
2 TRADESMAN	HR	\$ 68.40
3 FOREMAN	HR	\$ 86.50
4 RUBBER TIRE BACKHOE w/OPERATOR 15' DEPTH	HR	\$ 100.00
5 RUBBER TIRE FRONT END LOADER w/OPERATOR 2 1/4 YARD BUCKET	HR	\$ 140.00
6 3/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 160.00
7 1 1/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 180.00
8 DUMP TRUCK - SINGLE AXLE w/OPERATOR	HR	\$ 115.00
9 DUMP TRUCK - TANDEM AXLE w/OPERATOR	HR	\$ 115.00
10 DUMP TRUCK - TRI-AXLE w/OPERATOR	HR	\$ 125.00
11 UTILITY AND TOOL PICK-UP TRUCK	DAY	\$ 250.00
12 AIR COMPRESSOR (185) w/HOSES AND TOOL	HR	\$ 20.00
13 TELEVISIONING SEWERS w/DVD AND REPORT	FT	\$ 5.00
14 2" PUMP w/HOSES	DAY	\$ 30.00
15 3" PUMP w/HOSES	DAY	\$ 40.00
16 4" PUMP w/HOSES	DAY	\$ 60.00
17 CHAIN SAW OR CUT-OFF SAW (GAS OPERATED)	DAY	\$ 125.00
18 BARRICADES w/FLASHER	DAY	\$ 5.00
19 STEEL ROAD PLATE (10'X10')	DAY	\$ 75.00



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

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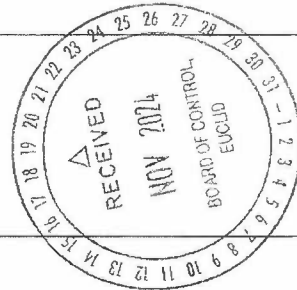
Description	Unit	Unit Cost
20 TRENCH BOX	DAY	\$ 150. ⁰⁰
21 PERCENTAGE MARK-UP FOR OVERHEAD AND PROFIT (ITEMS 1-18)	%	15%
22 PERCENTAGE MARK-UP FOR MATERIALS	%	10%
23 PERCENTAGE INCREASE FOR 2026 LABOR AND EQUIPMENT (ITEMS 1-21)	%	8%

Contractor:

Great Lakes Crushing, Ltd.

Authorized Signature:

AMB



Title:

Member

**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

INSTRUCTIONS: Please complete the BID SCHEDULE legibly using ink pen. The BIDDER shall complete the UNIT COST for all items in the BID SCHEDULE. The City of Euclid will select two (2) contractors for the duration of the contract. The City will evaluate each task and request each contractor to submit a preliminary price, based on the unit bid price, and a proposed schedule. The city will then select the contractor based on price, and schedule (dependent on the urgency of the work).

Description	Unit	Unit Cost
20 TRENCH BOX	DAY	\$ 150,-
21 PERCENTAGE MARK-UP FOR OVERHEAD AND PROFIT (ITEMS 1-18)	%	8%
22 PERCENTAGE MARK-UP FOR MATERIALS	%	10%
23 PERCENTAGE INCREASE FOR 2026 LABOR AND EQUIPMENT (ITEMS 1-21)	%	5%

Contractor:

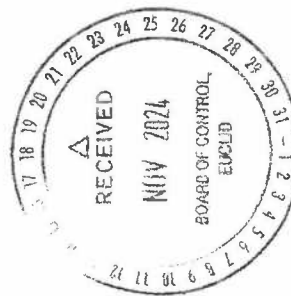
Fabrizi Trucking & Paving Co., Inc.

Authorized Signature:

Emilio Fabrizi, Jr.

Title:

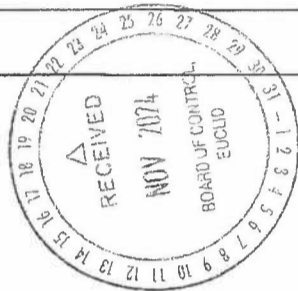
President



**CITY OF EUCLID
EMERGENCY REPAIRS TO SEWERS, SLUDGE LINES, AND STREETS**

INSTRUCTIONS: Please complete the BID SCHEDULE legibly using ink pen. The BIDDER shall complete the UNIT COST for all items in the BID SCHEDULE. The City of Euclid will select two (2) contractors for the duration of the contract. The City will evaluate each task and request each contractor to submit a preliminary price, based on the unit bid price, and a proposed schedule. The city will then select the contractor based on price, and schedule (dependent on the urgency of the work).

Description	Unit	Unit Cost
Roadway		
1 LABORER	HR	\$ 78.-
2 TRADESMAN	HR	\$ 79.-
3 FOREMAN	HR	\$ 90.-
4 RUBBER TIRE BACKHOE w/OPERATOR 15' DEPTH	HR	\$ 125.-
5 RUBBER TIRE FRONT END LOADER w/OPERATOR 2 1/4 YARD BUCKET	HR	\$ 155.-
6 3/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 160.-
7 1 1/4 YARD EXCAVATOR WITH OPERATOR	HR	\$ 180.-
8 DUMP TRUCK - SINGLE AXLE w/OPERATOR	HR	\$ 75.-
9 DUMP TRUCK - TANDEM AXLE w/OPERATOR	HR	\$ 88.-
10 DUMP TRUCK - TRI-AXLE w/OPERATOR	HR	\$ 93.-
11 UTILITY AND TOOL PICK-UP TRUCK	DAY	\$ 130.-
12 AIR COMPRESSOR (185) w/HOSES AND TOOL	HR	\$ 28.-
13 TELEVISIONING SEWERS w/DVD AND REPORT	FT	\$ 4.25
14 2" PUMP w/HOSES	DAY	\$ 30.-
15 3" PUMP w/HOSES	DAY	\$ 40.-
16 4" PUMP w/HOSES	DAY	\$ 50.-
17 CHAIN SAW OR CUT-OFF SAW (GAS OPERATED)	DAY	\$ 25.-
18 BARRICADES w/FLASHER	DAY	\$ 4.-
19 STEEL ROAD PLATE (10'X10')	DAY	\$ 50.-



BOARD OF CONTROL 11-8-2024

For Consideration:

To be sold on Gov. Deals

2006 Chevrolet Cobalt

Vin: 1G1AK55F367791240

Mileage: 65,485

Cost: \$11,400.00

Vehicle #29

From: Police Department (Training)

Description:

Age

Heavy rust related issues

Availability of parts

Has served its usefulness to the Housing Department

Will start auction at \$250.00

Bid increment will be determined by Gov. Deals

Will leave on auction for ten days

All monies will be paid to the General Fund

APPROVED BY
BOARD OF
CONTROL

DATE 11-15-24

RE: Garth

BOARD OF CONTROL 11-8-2024

For Consideration:

To be sold on Gov. Deals

2006 Chevrolet Cobalt

Vin: 1G1AK55F467887250

Mileage: 56,339

Cost: \$11,400.00

Vehicle #553

From: Housing Department

APPROVED BY
BOARD OF
CONTROL

DATE: 11-8-24
RE: Joel

Description:

Age

Heavy rust related issues

Availability of parts

Has served its usefulness to the Housing Department

Will start auction at \$250.00

Bid increment will be determined by Gov. Deals

Will leave on auction for ten days

All monies will be paid to the General Fund

Resolution No.

By – Mayor Holzheimer Gail

A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21601 Edgecliff Drive, Euclid Ohio 44123, bearing Permanent Parcel Number 642-05-007.

WHEREAS, application was received by the residents at 21601 Edgecliff Drive, Euclid, Ohio 44123 for Euclid City Council to approve a shore structure in the submerged lands in Lake Erie adjacent to their property; and

WHEREAS, such a resolution by Euclid City Council is required by the Ohio Department of Natural Resources and the United States Army Corps of Engineers prior to their review of the construction of the structure; and

WHEREAS, in review of the application, Euclid City Council finds that the area of submerged lands in question is not needed by the local authority for future improvements and the land uses in the application comply with regulation of permissible land use of the local authority.

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

Section 1: Euclid City Council approves a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21601 Edgecliff Drive, Euclid, Ohio 44123, bearing Permanent Parcel Number 642-05-007.

Section 2: A copy of this resolution is to be delivered to Michael French and Halle DeLong, 21601 Edgecliff Drive, Euclid, Ohio 44123.

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:

Mayor

Resolution No.

By – Mayor Holzheimer Gail

A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 27151 Edgecliff Drive, Euclid, Ohio 44132, bearing Permanent Parcel Number 645-03-026.

WHEREAS, application was received by the residents at 27151 Edgecliff Drive, Euclid, Ohio 44132 for Euclid City Council to approve a shore structure in the submerged lands in Lake Erie adjacent to their property; and

WHEREAS, such a resolution by Euclid City Council is required by the Ohio Department of Natural Resources and the United States Army Corps of Engineers prior to their review of the construction of the structure; and

WHEREAS, in review of the application, Euclid City Council finds that the area of submerged lands in question is not needed by the local authority for future improvements and the land uses in the application comply with regulation of permissible land use of the local authority.

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

Section 1: Euclid City Council approves a shore structure in the submerged lands in Lake Erie adjacent to the property located at 27151 Edgecliff Drive, Euclid, Ohio 44132, bearing Permanent Parcel Number 645-03-026.

Section 2: A copy of this resolution is to be delivered to Scot J. Occhionero and Maria Occhionero, 27151 Edgecliff Drive, Euclid, Ohio 44132.

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:

Mayor

Resolution No.

By – Mayor Holzheimer Gail

A resolution to the Ohio Department of Natural Resources and the United States Army Corps of Engineers for approval of a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21171 Edgecliff Drive, Euclid, Ohio 44123, bearing Permanent Parcel Number 642-03-001.

WHEREAS, application was received by the residents at 21171 Edgecliff Drive, Euclid, Ohio 44123 for Euclid City Council to approve a shore structure in the submerged lands in Lake Erie adjacent to their property; and

WHEREAS, such a resolution by Euclid City Council is required by the Ohio Department of Natural Resources and the United States Army Corps of Engineers prior to their review of the construction of the structure; and

WHEREAS, in review of the application, Euclid City Council finds that the area of submerged lands in question is not needed by the local authority for future improvements and the land uses in the application comply with regulation of permissible land use of the local authority.

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

Section 1: Euclid City Council approves a shore structure in the submerged lands in Lake Erie adjacent to the property located at 21171 Edgecliff Drive, Euclid, Ohio 44123, bearing Permanent Parcel Number 642-03-001.

Section 2: A copy of this resolution is to be delivered to David Posner and Elisabeth Sapell, 21171 Edgecliff Drive, Euclid, Ohio 44123.

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:

Mayor

Ordinance No.

By: Mayor Holzheimer Gail

An ordinance authorizing the Mayor and the Director of Planning and Development to enter into an interagency agreement not to exceed \$200,000.00 to administer pool, pool house, and park improvements at Memorial Pool through December 31, 2026.

WHEREAS, the 2021 American Rescue Plan Act ("ARPA") provided approximately \$25.4 million to the City of Euclid ("City") from the Coronavirus State and Local Recovery Fund ("SLFRF"), which consists of the Coronavirus State Fiscal Recovery Fund ("CSFRF") and Coronavirus Local Fiscal Recovery Fund ("CLFRF") (hereinafter, collectively, called "ARPA funding"); and

WHEREAS, the U.S. Department of Treasury is the federal agency that administers the ARPA funding and has provided the City with the ARPA funding conditional on the City complying with its rules and regulations; and

WHEREAS, the City has established a process for its departments and agencies and organizations external to the City to apply for ARPA funding; and

WHEREAS, the City recommends its Department of Planning and Development receive ARPA funding for pool, pool house, and park improvements at Memorial Pool, consistent with the adopted 2018 Master Plan; and

WHEREAS, the Mayor and the Director of Planning and Development wish to enter into an interagency agreement to memorialize each other's responsibilities in regard to the ARPA funding for the improvements.

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

Section 1: That the Mayor and the Director of Planning and Development are hereby authorized to enter into an interagency agreement to administer pool, pool house, and park improvements at Memorial Pool through December 31, 2026.

Section 2: That all agreement(s) shall be in a form approved by the Director of Law.

Section 3: That funds to pay for this expenditure are not to exceed \$200,000.00 to be derived from the City's ARPA funds.

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 and Zoning Commission

A resolution granting a Conditional Use Permit pursuant to Section 1359.03(d)(4) of the Codified Ordinances of the City of Euclid, to Kiara Williams, operating as Puzzle Peace Providers, LLC, to operate a day care facility at 27801 Euclid Avenue, a U8-Office Building, Permanent Parcel 648-30-001.

WHEREAS, at its meeting on November 12, 2024, the Planning and Zoning Commission approved the Conditional Use Permit to Kiara Williams, operating as Puzzle Peace Providers, LLC, to operate a daycare facility at 27801 Euclid Avenue; and

WHEREAS, pursuant to Section 1359.03(d)(4) of the Codified Ordinances of the City of Euclid, a Conditional Use Permit shall be subject to the approval by the Council of the City of Euclid.

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

Section 1: That Council hereby grants a Conditional Use Permit pursuant to Section 1359.03(d)(4) of the Codified Ordinances of the City of Euclid, to Kiara Williams, operating as Puzzle Peace Providers, LLC, to operate a day care facility at 27801 Euclid Avenue, a U8-Office Building, Permanent Parcel 648-30-001.

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

Ordinance No.

By – Mayor Holzheimer Gail

An emergency 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, California 95661, to provide billing services for a three (3) year period commencing January 1, 2025 and ending December 31, 2027 related to emergency responses and services by the Euclid Fire Department.

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; and

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, but not be limited, to: house fires, motor vehicle accidents, vehicle fires, Haz-Mat response, and water incidents; 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 between the parties with said mitigation rates set forth in Exhibit A attached hereto; and

WHEREAS, no fees will be assessed when an engine, ladder or aerial truck accompanies an ambulance on a patient transfer due to a medical or injury situation not related to items stated in Exhibit A of the contract with Fire Recovery USA, LLC; and

WHEREAS, Fire Recovery USA, LLC will provide seventy-eight percent (78%) of all funds collected to the City of Euclid and assesses a collection fee of twenty-two percent (22%).

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, California 95661, to provide billing services for a three (3) year period commencing January 1, 2025 and ending December 31, 2027, 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 the Mitigation Rates set forth in Exhibit A attached hereto shall increase annually based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor. Rate adjustments will occur on the anniversary date of this Ordinance in order to keep the Euclid Fire Department's cost recovery program in conformity with increasing operating expenses.

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 emergency ordinance authorizing the Director of Finance to enter into a professional services contract with Life Force Management, Inc., of Ravenna, Ohio, to provide ambulance billing services for a three (3) year period commencing January 1, 2025 through December 31, 2027.

WHEREAS, in 2020 the Euclid Fire Chief solicited proposals for ambulance billing services from three (3) vendors who provide services to communities of similar size and call volumes within Cuyahoga County; and

WHEREAS, after review of the proposals, the Fire Chief recommended Life Force Management, Inc., as the City of Euclid’s preferred vendor due to their compatible software, experience level, pricing model and past experience with the company; and

WHEREAS, on or about October 5, 2020 per Ordinance 111-2020, City Council authorized the City of Euclid to enter into a three (3) year agreement with Life Force Management, Inc. for ambulance billing services; and

WHEREAS, per the terms of the contract between the City of Euclid and Life Force Management, Inc., the contract was extended through December 31, 2024; and

WHEREAS, based on the overall good services provided by Life Force Management, Inc., including, their success in collecting funds on behalf of the City, and compatibility with patient reporting software used by the Cleveland Clinic Hospitals and University Hospitals, the City would like to extend the contract with Life Force Management, Inc. for a three (3) year period beginning January 1, 2025 and ending December 31, 2027; and

WHEREAS, Life Force will continue to be compensated by a percentage of collected revenue; and

WHEREAS, the ordinance constitutes an emergency in that it provides for the ongoing operation of a City department.

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 Life Force Management, Inc., for a three (3) year period beginning January 1, 2025 through December 31, 2027, 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 the funds necessary 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 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 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 emergency ordinance authorizing the Mayor of the City of Euclid or her designee to extend the contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of sludge, grit and screenings from the City of Euclid's Water Reclamation Facilities from January 1, 2025 through December 31, 2026.

WHEREAS, Kimble Recycling and Waste Disposal, Inc. ("Kimble") has collected and disposed of the sludge, grit and screenings from the City of Euclid's Water Reclamation Facilities since on or about March 1, 2010; and

WHEREAS, the contract between the City of Euclid ("City") and Kimble has been renewed three (3) times for the collection and disposal of sludge, grit and screenings and is due to expire on December 31, 2024; and

WHEREAS, the Lakeshore Boulevard Wastewater Treatment Plant ("WWTP") recently converted its process for the treatment of wastewater and as a result the production and removal of byproducts that need to be disposed has changed significantly; and

WHEREAS, since the inception of the contract between the City and Kimble, during the conversion process, and since the completion of the conversion, Kimble has provided reliable and timely service; and

WHEREAS, in order to generate a better sample size of how the disposal of sludge, grit and screenings will occur at the WWTP for future public bidding and to ensure that the disposal continues smoothly, the City seeks to extend the contract with Kimble for this service from January 1, 2025 through December 31, 2026; and

WHEREAS, in 2025, the costs to dispose of sludge will be \$65.06 per ton and the cost to dispose of grit and screenings will be \$86.94 per ton, and for 2026 the contract will adjust based upon the Consumer Price Index or three percent (3%), whichever is larger; and

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

WHEREAS, the ordinance constitutes an emergency in that it provides for the ongoing operation of a City department.

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 extend the current contract with Kimble Recycling and Waste Disposal, Inc., for the collection and disposal of sludge, grit and screenings from the City of Euclid's Water Reclamation Facilities from January 1, 2025 through December 31, 2026.

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 Water Reclamation Treatment Fund (Fund 510).

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 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

Passed:

President of Council

Approved:

Mayor

Resolution No.

By – Mayor Holzheimer Gail

A resolution supporting the application for the Assistance to Firefighters Grant (AFG), a federally funded grant offered through the Federal Emergency Management Agency (FEMA), that if awarded could provide funding directly to the City of Euclid to purchase radios, microphones, and charging stations for the Euclid Fire Department.

WHEREAS, the goal of the AFG is to help firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training and other resources necessary for protecting the public and emergency personnel from fire and related hazards; and

WHEREAS, the purchase of new radios and related equipment with the grant funds for the Euclid Fire Department would better serve the public and protect its emergency personnel and meet the criteria of the AFG grant; and

WHEREAS, the City of Euclid would apply for the AFG grant and, if successful, would purchase radios, microphones, and charging stations for the Euclid Fire Department with said grant funds and a local ten percent (10%) match in an amount to be determined; and

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

Section 1: That this Council supports the Administration's application for the Assistance to Firefighters Grant, which is a federally funded program offered through the Federal Emergency Management Agency.

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

Ordinance No.

By –Councilperson Jarosz

An ordinance enacting Section 501.31 Parental Responsibility of Chapter 501 General Provisions; Administration and Enforcement of the General Offenses Code of the Codified Ordinances for the City of Euclid to hold parents and guardians responsible for certain acts of minors.

WHEREAS, using Cuyahoga County Juvenile Court Statistics for 2021, the Delinquency and Unruly Case and Charges from the City of Euclid were as follows: involved 119 Juveniles; there were 178 Cases; 445 Total Charges; 166 Person Charges; 162 Property Charges; 1 Drug Charge; 33 Weapon Charges; 74 Public Order Charges; and 9 Unruly Charges; and

WHEREAS, using Cuyahoga County Juvenile Court Statistics for 2022, the Delinquency and Unruly Case and Charges from the City of Euclid were as follows: involved 154 Juveniles; there were 217 Cases; 570 Total Charges; 219 Person Charges; 149 Property Charges; 2 Drug Charges; 45 Weapon Charges; 132 Public Order Charges; and 23 Unruly Charges; and

WHEREAS, the increase in juvenile crime has a negative impact on the students, schools, families, neighborhoods, and businesses in the City of Euclid; and

WHEREAS, when there are no consequences for such offenses it increases the likelihood of future transgressions against the community; and

WHEREAS, the goal of this legislation is to provide a modicum of deterrence by first formally notifying the parent/legal guardian of the juvenile's criminal activity in hopes that it will be addressed at home. It will also send a message that this community will no longer tolerate such behavior.

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

Section 1: That Section 501.31 Parental Responsibility of Chapter 501 General Provisions; Administration and Enforcement of the General Offenses Code of the Codified Ordinances for the City of Euclid is hereby enacted to read as follows:

501.31 PARENTAL RESPONSIBILITY

(a) A parent who has parental rights and responsibilities for the care of a child under eighteen years of age and is the residential parent and legal custodian of such child; a guardian who has custody of a child; or, other custodian of a child, is charged with the control of the child and shall have the power to exercise parental control and authority over the child.

(b) It shall be unlawful for a parent, legal custodian, legal guardian, or other person lawfully charged with the care of a child under eighteen years of age, to knowingly fail to supervise such child. It shall be no defense that a parent or person charged with parental control and authority over the child was completely indifferent to the activities or conduct or whereabouts of such child. Parental responsibility to supervise such child and exercise parental control with regard to such child includes, but is not limited to the following duties:

- (1) To keep illegal drugs out of the home and out of the possession of such child, except those drugs duly prescribed by a licensed physician or other authorized medical professional;
- (2) To keep firearms out of the possession of such child except those used for hunting or other legal activities in accordance with state law and with the knowledge and supervision of a parent or other individual charged with parental control and authority over the child;
- (3) To exercise and have in place reasonable controls so as to prevent such child from maliciously or willfully damaging, defacing or destroying real or personal property belonging to others, including the City of Euclid;
- (4) To exercise and have in place reasonable controls so as to prevent such child from engaging in theft of property or keeping in his or her possession property known to be stolen;
- (5) To exercise and have in place reasonable controls so as to prevent such child from engaging in violent assaultive behavior directed at persons.

An adjudication that a child under the age of eighteen years of age has been found a "delinquent child," as such is defined in Ohio R.C. 2151.02 for criminal conduct other than that which would lead to a "status" crime violation, such as a curfew or truancy violation, or has been found guilty of a criminal conviction when said child has been tried as an adult three times within any two-year period, shall be prima facie evidence that said parent or person charged with parental control and authority over the child failed to supervise the child.

This chapter shall not apply to a public children services agency as defined in Ohio R.C. 2151.11, to foster parents, or teachers and other employees of any public or private school.

In a prosecution of a person for failing to supervise a child under subsection hereof, it is an affirmative defense:

- (1) If the victim of the act that brings the child within the jurisdiction of the juvenile court or other court; or
- (2) parent, legal custodian, legal guardian, or other person reported the act to the appropriate authorities; or caused a complaint to be filed against the child pursuant to Ohio R.C. 2151.27, except for where the child is a juvenile traffic offender.

Whenever a child is arrested or detained for the commission of any delinquent act within the City, the parent or person charged with parental control and authority over the child shall be notified by the Euclid Police Department in writing for the first offense, advising the parent of such arrest or detention, the reason therefor, and the parent's responsibility under this chapter. A written record of such notifications shall be kept by the Police Department.

An adjudication that a child has committed any delinquent act or a finding that said child is responsible for a violation which is deemed a civil infraction and the parent or person charged with parental control and authority over the child has received notification on a prior occasion of the same or similar delinquent act shall be prima facie evidence that said person failed to exercise reasonable parental control.

Whoever violates this chapter is guilty of a violation of the parental responsibility ordinance.

- (1) Upon first conviction, a violation of this chapter is a minor misdemeanor.
- (2) If the offender has been previously convicted of a violation of the parental responsibility ordinance, a violation of this chapter is a misdemeanor of the fourth degree.
- (3) Upon the third or subsequent violation of this chapter, a violation of this chapter is a misdemeanor of the third degree.

Section 2: That Section 501.31 Parental Responsibility of Chapter 501 General Provisions; Administration and Enforcement of the General Offenses Code of the Codified Ordinances for the City of Euclid is hereby enacted.

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