

**THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING**

October 14, 2013

8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

- 3. SPECIAL PRESENTATION:** Recognizing K-9 Recon for his years of dedicated service to the South Euclid Police Department.

4. OPEN MEETING

5. REPORT OF COMMITTEES

ZONING & PLANNING COMMITTEE:

1. RESOLUTION 49-13 GRANTING A CONDITIONAL USE PERMIT TO THE CUYAHOGA COUNTY PUBLIC LIBRARY (CCPL), LOCATED AT 1876 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. **SECOND READING.**

6. MAYOR'S REPORT

7. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 50-13 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "FLOOD CONTROL FUND #426." FIRST READING.
2. RESOLUTION 51-13 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "HUD GRANTS-NSP3 FUND #215." FIRST READING.
3. RESOLUTION 52-13 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUNDS: "GENERAL FUND #101-RECREATION" AND GENERAL FUND #101-CURBSIDE RECYCLING." FIRST READING.
4. RESOLUTION 53-13 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND #101-CIVIL SERVICE." FIRST READING.

8. LAW DIRECTOR'S REPORT

9. LETTERS AND COMMUNICATIONS

10. ADJOURN TO EXECUTIVE SESSION

- 11. EXECUTIVE SESSION:** For the purpose of discussing pending litigation.

12. ADJOURN TO REGULAR MEETING OF CITY COUNCIL

13. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 49-13
INTRODUCED BY: Miller
REQUESTED BY: Planning Commission

September 23, 2013
Second Reading: October 14, 2013

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO THE CUYAHOGA COUNTY PUBLIC LIBRARY (CCPL), LOCATED AT 1876 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of South Euclid recognizes that various public and private institutions and facilities are essential to the community; and

WHEREAS, the Planning Commission, after careful study, has recommended to Council in a vote of 5-0-0 that a Conditional Use Permit be granted to the Cuyahoga County Public Library (CCPL) for construction of a new branch located at 1876 South Green Road; and

WHEREAS, notice of a public hearing on the aforesaid requested Conditional Use Permit has been duly given, and a full public hearing has been held thereon by the Planning Commission pursuant to such notice and as prescribed by law; and

WHEREAS, the Council of the City of South Euclid deems that the aforesaid Conditional Use Permit should be given in that a hardship exists in the land and that the standards set forth in Chapter 722 of the South Euclid Zoning Code have been achieved.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That a Conditional Use Permit is hereby granted to the Cuyahoga County Public Library (CCPL), located at 1876 South Green Road in the City of South Euclid, Ohio, per the following conditions:

Condition 1: The Traffic Commissioner's comments in his report dated June 5, 2013 shall be addressed to the satisfaction of the Traffic Commissioner.

a. The ingress/egress driveway on South Green Road for the CCPL is to align with the ingress/egress of Notre Dame College.

Condition 2: The adequate buffering as defined between the specifically identified residential properties and the Cuyahoga County Public Library site located at 1876 South Green Road.

a. The buffer for the properties numbers: 703-25-053, 703-25-054, 703-25-055 shall consist of fencing as approved by the Architectural Review Board that attaches to the Cuyahoga County Public Library, traverses north to the property 703-25-054 and then the fence shall traverse westerly to the approximate westerly property line of 703-25-055.

b. The buffer for the Summit Drive ingress/egress onto Greenway Road shall be connected to the fencing employed in item "a."

c. The buffer for the property 703-25-040 shall consist of a fence as approved by the Architectural Review Board that will attach to the Cuyahoga County Public Library and traverse north to the northerly boundary line of property 703-25-040.

d. Access for property maintenance shall be provided to the rear portion of the property of the proposed Library Building that abuts the following residential properties: 703-25-040, 703-25-058, 703-25-057, and 703-25-054.

- e. The buffer for the property south of Rosemary Drive, 703-24-030 shall consist of a six foot high black vinyl fence and landscaping buffer as approved by the Architectural Review Board and the city landscape architect.

Condition 3: Any future development or addition to the Cuyahoga County Public Library and/or its site located at 1876 South Green Road that requires a request for a variance from any requirement or condition imposed by the regulations of the South Euclid Codified Ordinances shall not be reviewed by the South Euclid Board of Appeals unless the Planning Commission grants permission for the applicant to submit the variance request.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 is declared to be an emergency measure necessary for the preservation of the public peace, health and safety and for the further reason that a vital function of the municipal government is affected thereby. Wherefore, this Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 50-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 14, 2013

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "FLOOD CONTROL FUND #426."

WHEREAS, in accordance with Resolution 70-12, funds must be appropriated to expend the monies received from the Ohio EPA for the SWIF (Surface Water Improvement Fund) Grant which the City used to reconstruct the front parking lot of City Hall; and

WHEREAS, additional funds must be appropriated to account for the allocated portion of Auditor Collection Fees which are charged to this fund.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the "Flood Control Fund #426" in the amount of \$186,259.00.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 51-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 14, 2013

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "HUD GRANTS-NSP3 FUND #215."

WHEREAS, Cuyahoga County has awarded the City of South Euclid an additional \$40,000 of NSP 3 grant funds and this money must be appropriated.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the "HUD Grants-NSP3 Fund #215" in the amount of \$40,000.00.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 52-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 14, 2013

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUNDS: "GENERAL FUND #101-RECREATION" AND "GENERAL FUND #101-CURBSIDE RECYCLING."

WHEREAS, changes in individual health care plans require this appropriation.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the following funds in the amounts below:

- 1. General Fund #101-Recreation \$9,280.00
- 2. General Fund #101-Curbside Recycling \$5,654.80

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 53-13
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 14, 2013

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND #101- CIVIL SERVICE."

WHEREAS, funds must be appropriated to cover the costs of administering an upcoming Civil Service Test being offered by the City of South Euclid.

NOW THEREFORE BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the "General Fund #101-Civil Service" in the amount of \$20,000.00.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law