

***Amend to Remove Resolution 62-12
and Add Swearing-In Ceremony***
THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
Tuesday October 9, 2012
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: September 10, 2012

4. SWEARING-IN CEREMONY: Firefighter Nick Sweetnich

5. OPEN MEETING

6. REPORT OF COMMITTEES

LEGISLATIVE COMMITTEE

1. RESOLUTION 38-12 AUTHORIZING THE MAYOR TO ENTER INTO A LEASE WITH THE SOUTH EUCLID-LYNDHURST CITY SCHOOLS FOR A PORTION OF THE REAL PROPERTY KNOWN AS 441 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO.
SECOND READING.

7. MAYOR'S REPORT

8. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 63-12 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ADABOY, LLC FOR THE SALE AND PURCHASE OF REAL PROPERTY, LOCATED AT 441 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO.
FIRST READING.

2. RESOLUTION 64-12 PROVIDING A DATE AND TIME LIMITS FOR THE HALLOWEEN OBSERVANCE UPON THE STREETS AND OUT OF DOORS FOR THE YEAR 2012. FIRST READING.

3. RESOLUTION 65-12 AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE DISTRICT ONE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR THE YEAR 2013 AND TO EXECUTE CONTRACTS AS REQUIRED WITHIN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

4. RESOLUTION 66-12 REQUESTING THE SOUTH EUCLID MUNICIPAL COURT TO AUTHORIZE THE ESTABLISHMENT OF "THE CITY OF SOUTH EUCLID PARKING VIOLATIONS BUREAU" PURSUANT TO ORC 4521.04 (A)(1); AND DECLARING AN EMERGENCY. FIRST READING.

9. LAW DIRECTOR'S REPORT

10. LETTERS AND COMMUNICATIONS

11. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO: 62-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 9, 2012

A RESOLUTION

IN APPRECIATION TO AND RECOGNITION OF FIRE INSPECTOR JAMES DAVIS FOR HIS OUTSTANDING SERVICE TO THE SOUTH EUCLID FIRE DEPARTMENT AND THE RESIDENTS OF THE CITY OF SOUTH EUCLID.

WHEREAS, James Davis served the City of South Euclid as a Firefighter and Paramedic since his appointment on March 25, 1979 and was in the very first class of Paramedics to begin providing Paramedic service to our community; and

WHEREAS, in recognition of his leadership and professionalism, James Davis was appointed to the Fire Prevention Office as Fire Inspector in October of 1996; and

WHEREAS, he has completed numerous Fire Prevention Management and Arson Investigation programs at the National Fire Academy; and

WHEREAS, he is over a 20 year member of the North Eastern Fire Prevention Association serving as Secretary and Treasurer, was an active member of Local 1065, serving as treasurer, and was an active member of the State of Ohio's Juvenile Fire Setter Program; and

WHEREAS, he obtained training to qualify and perform as Instructor for many areas of the EMS field including CPR, and Pediatric Advanced Life Support; and

WHEREAS, while he served under the direction of different Chiefs and administrations through the years, the performance of his duties and responsibilities and his working relationships were always characterized by an obvious dedication to his job, the Fire Department, and the community; and

WHEREAS, he was chosen by his fellow Firefighters as Firefighter of the Year in 1991; and

WHEREAS, his ability to secure grants for the Fire Prevention Bureau and equipment resulted in significant cost savings during his tenure as Fire Inspector; and

WHEREAS, James Davis retired from the South Euclid Fire Department on July 19, 2012 after his thirty three (33) and 4 months of years of faithful service to the City and his Department; and

WHEREAS, Council expresses its sincere appreciation and thanks to Inspector James Davis for his dedication to the community, and highly commends him for the manner in which he has carried out his responsibilities and duties as a member and Fire Inspector of the South Euclid Fire Department.

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

Section 1: That the Mayor and Members of Council for themselves and on behalf of the people of the City of South Euclid express their respect and appreciation to Inspector James Davis for his dedication, interest, and devotion to the community of South Euclid.

Section 2: That a copy of this Resolution shall be delivered to James Davis, with sincerest appreciation for his distinguished service, and best wishes for continued success in all his future endeavors.

Section 3: That 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 4: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City and therefore should be adopted at the earliest possible time. 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 _____, 2012.

David B. Miller, President of Council

Approved:

Attest:

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.: 38-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

May 29, 2012
Second Reading: October 9, 2012

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A LEASE WITH THE SOUTH EUCLID-LYNDHURST CITY SCHOOLS FOR A PORTION OF THE REAL PROPERTY KNOWN AS 441 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the City of South Euclid is the owner of real property known as 441 South Green Road; and

WHEREAS, the South Euclid-Lyndhurst City Schools wish to lease a portion of the subject property for use as a transportation facility for storing and repairing buses and other vehicles.

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

Section 1: That the Mayor be and she is hereby authorized to enter into a lease with the South Euclid-Lyndhurst City Schools for a portion of the real property known as 441 South Green Road in the City of South Euclid, Ohio, a copy of which is attached hereto and made a part hereof.

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 and safety and for the further reason that the South Euclid-Lyndhurst City Schools require immediate use of the subject property. Wherefore, this Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2012.

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.: 63-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 9, 2012

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ADABOY, LLC FOR THE SALE AND PURCHASE OF REAL PROPERTY, LOCATED AT 441 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid, in order to encourage growth of the Monticello-Green industrial corridor, wishes to sell municipally-owned real property at 441 South Green Road; and

WHEREAS, Gent Machine Company ("Adaboy, LLC"), currently located in the Monticello-Green industrial corridor, desires to purchase said property to expand and grow its business; and

WHEREAS, as a condition of purchasing said property, Gent Machine is required to assume the approved lease between the City of South Euclid and the South Euclid-Lyndhurst City Schools, as a tenant of the property.

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

Section 1: That the Mayor be and she is hereby authorized to enter into an agreement with Adaboy, LLC for the purchase and sale of real property located at 441 South Green Road in the City of South Euclid, Ohio, under the terms and provisions as contained in the agreement, a copy of which is attached hereto, and subject to changes approved by the City Law Director, and made a part hereof as Exhibit A.

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 for the public health and safety, and for further reason that this Resolution is required to be immediately effective to encourage development of the real property which is urgently needed to provide for the welfare of the citizens of the City and to eliminate previously blighted conditions thereon. 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 _____, 2012.

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.: 64-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 9, 2012

A RESOLUTION

PROVIDING A DATE AND TIME LIMITS FOR THE HALLOWEEN OBSERVANCE UPON THE STREETS AND OUT OF DOORS FOR THE YEAR 2012.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO:

Section 1: That Halloween activities and observance in the City of South Euclid, Ohio, in the Year 2012, shall take place on Wednesday, October 31, 2012.

Section 2: That the custom generally known as "Trick or Treating" shall be permitted only between the hours of 6:00 p.m. and 8:00 p.m. on the above date and the provisions regarding peace disturbances as provided for in Chapter 509 of the Codified Ordinances of the City of South Euclid, Ohio are prohibited.

Section 3: That most communities around South Euclid will observe Halloween on October 31st from 6:00 p.m. to 8:00 p.m. and the Council of South Euclid desires to do the same to eliminate the misunderstandings among children who may go from one community to another.

Section 4: 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 5: 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 _____, 2012.

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.: 65-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 9, 2012

A RESOLUTION

AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE DISTRICT ONE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR THE PROGRAM YEAR 2013 AND TO EXECUTE CONTRACTS AS REQUIRED WITHIN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the District One Ohio Public Works Commission State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of South Euclid wishes to make application for the 2013 Program Year for the following project: the engineering costs for the proposed South Green Road Traffic Signal Upgrade; and

WHEREAS, the infrastructure improvements herein above described are considered to be priority needs for the community and are qualified projects under the OPWC programs.

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

Section 1: That the Mayor be and she is hereby authorized and directed to apply to the OPWC for funds for the engineering costs of the proposed South Green Road Traffic Signal Upgrade Project in the City of South Euclid, Ohio.

Section 2: That the Mayor be and she is hereby authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: That 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 4: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation for the public peace, health, safety and for further reason that a vital function of the municipal government is effected hereby. 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 _____, 2012.

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. 66-12
INTRODUCED BY: Miller
REQUESTED BY: Mayor

October 9, 2012

A RESOLUTION

REQUESTING THE SOUTH EUCLID MUNICIPAL
COURT TO AUTHORIZE THE ESTABLISHMENT OF "THE
CITY OF SOUTH EUCLID PARKING VIOLATIONS BUREAU"
PURSUANT TO ORC 4521.04 (A)(1); AND
DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of South Euclid has passed Ordinance 11-12 thereby decriminalizing all parking violations in the city pursuant to RC 4521; and

WHEREAS, pursuant to RC 4521.04(A)(1) the legislative authority of the municipal corporation may request the municipal court having jurisdiction over the municipal corporation to authorize the municipal corporation to establish a parking violations bureau to handle all parking infractions occurring within the territory of the municipal corporation, including parking infractions that are violations of ordinances, resolutions, or regulations of the municipal corporation; and

WHEREAS, the South Euclid Municipal Court has jurisdiction over the territory of the municipal corporation known as the City of South Euclid.

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

Section 1: That pursuant to RC 4521.04(A)(1) the Council of the City of South Euclid, being the legislative authority for the municipal corporation hereby requests the South Euclid Municipal Court to authorize the establishment of "The City of South Euclid Parking Violations Bureau" to handle all parking infractions occurring within the territory of the City of South Euclid, including parking infractions that are violations of ordinances, resolutions, or regulations of the City of South Euclid.

Section 2: That the Council of the City of South Euclid hereby authorizes and directs the Clerk of Council to file this Resolution with the Clerk of the South Euclid Municipal Court requesting the South Euclid Municipal Court to authorize the establishment of "The South Euclid Parking Violations Bureau"

Section 3: That 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 4: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City so as to allow the enforcement of parking regulations and therefore should be adopted at the earliest possible time. 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 _____, 2012

David B. Miller, President of Council

Attest:

Keith A. Benjamin, Clerk of Council

Approved:

Georgine Welo, Mayor

Approved as to form:

Michael Lograsso, Director of Law