

THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

November 10, 2014
8:00 PM

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES:** October 13, 2014 & October 27, 2014

4. **SPECIAL PRESENTATION:**

1. RESOLUTION 56-14 RECOGNIZING TOM GRIFFIN AND HIS BUSINESS, MAYFIELD COLLISION CENTERS, FOR CONTINUED SUPPORT OF THE CITY OF SOUTH EUCLID AND FOR DEDICATION AND LEADERSHIP IN MAKING THE COMMUNITY A BETTER PLACE TO CALL HOME. FIRST READING.

5. **OPEN MEETING**

6. **REPORT OF COMMITTEES**

ZONING & PLANNING COMMITTEE:

1. ORDINANCE 17-12 AMENDING SECTION 710.08 "DEFINITIONS" OF CHAPTER 710 "INTERPRETATION, RULES OF CONSTRUCTION, AND DEFINITIONS" OF TITLE ONE OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FOR REFERRAL BACK TO THE PLANNING COMMISSION.**
2. ORDINANCE 18-12 AMENDING SECTION 721.03 "ACCESSORY USES" OF CHAPTER 721 "PERMITTED USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FOR REFERRAL BACK TO THE PLANNING COMMISSION.**

SAFETY COMMITTEE:

1. RESOLUTION 55-14 AUTHORIZING THE MAYOR AND FIRE CHIEF TO ENTER INTO A CONTRACT WITH THE OHIO ATTORNEY GENERAL FOR THE COLLECTION OF UNPAID BILLS RESULTING FROM ACTS OF EMERGENCY MEDICAL SERVICE PROVIDED TO NON-RESIDENTS OF THE CITY OF SOUTH EUCLID PURSUANT TO CODIFIED ORDINANCE 138.08 (c). **SECOND READING.**

7. **MAYOR'S REPORT**

8. **LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION**

1. RESOLUTION 57-14 REQUESTING THE PUBLIC UTILITIES COMMISSION OF OHIO (PUCO) LIMIT THE ABILITY OF A UTILITY PROVIDER TO CONDUCT HOME SOLICITATION. FIRST READING.

9. **LAW DIRECTOR'S REPORT**

10. LETTERS AND COMMUNICATIONS

11. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 56-14
INTRODUCED BY: Miller
REQUESTED BY: Mayor

November 10, 2014

A RESOLUTION

RECOGNIZING TOM GRIFFIN AND HIS BUSINESS, MAYFIELD COLLISION CENTERS, FOR CONTINUED SUPPORT OF THE CITY OF SOUTH EUCLID AND FOR DEDICATION AND LEADERSHIP IN MAKING THE COMMUNITY A BETTER PLACE TO CALL HOME.

WHEREAS, Tom Griffin started Mayfield Collision Centers in the City of South Euclid in 1989; and

WHEREAS, Mayfield Collision Centers is celebrating its 25th Anniversary in business this year and over time has expanded its South Euclid location and has also opened an additional location in Bedford Heights; and

WHEREAS, Tom Griffin and his team at Mayfield Collision have always been a community oriented business; and

WHEREAS, since the founding of the South Euclid Police Department K-9 Unit, Mayfield Collision has been one the unit's strongest supporters, through purchasing equipment, food and supplies for the dogs which make up the unit, including a ballistic vest for K-9 Oktane; and

WHEREAS, Mayfield Collision has been a strong supporter of community projects such as the Argonne Pocket Park maintenance endowment fund, Purple Heart Homes, and many of the activities in which One South Euclid engages in; and

WHEREAS, when Tom Griffin learned of the new Greenfield Community Garden Project to beautify Downtown South Euclid, Mayfield Collision provided a "GuitarMania" Guitar designed by his employees to honor the contributions of South Euclid's first responders and be a permanent part of the Downtown South Euclid streetscape; and

WHEREAS, business owners such as Tom Griffin truly understand the importance of being a partner of the community in which the business is located; and

WHEREAS, this support for the community extends to the way in which Tom Griffin and the Mayfield Collision Team conduct business as Mayfield Collision was named the #1 Auto Body Shop in the country for 2014 by ABRN Magazine and Mayfield Collision was the first auto body shop to be named to the "North Coast 99" Best Places to Work in Northeast Ohio.

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

Section 1: That Tom Griffin and his team at Mayfield Collision Centers deserve the recognition of the Mayor and Council along with commendation for their hard work and success and for honorably representing the South Euclid community with great creativity, leadership, compassion, commitment, and spirit by exemplifying the characteristics of an ideal business owner.

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 and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: 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 _____, 2014.

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

ORDINANCE NO.: 17-12
INTRODUCED BY: Goodman
REQUESTED BY: Goodman and Icove

July 23, 2012
**For Referral to the Planning
Commission: November 10, 2014**

AN ORDINANCE

AMENDING SECTION 710.08 "DEFINITIONS" OF CHAPTER 710 "INTERPRETATION, RULES OF CONSTRUCTION AND DEFINITIONS" OF TITLE ONE OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO

WHEREAS, the Council has requested that Section 710.08 of Chapter 710 "Interpretation, Rules of Construction and Definitions" of Title One of Part Seven of the Codified Ordinances of the City of South Euclid, Ohio relating to "Definitions" within the City be amended; and

WHEREAS, the Council deems that the aforesaid zoning amendment should be made and that the same is conducive to the public health, safety, convenience, and general welfare of the City.

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

Section 1: That Section 710.08 "Definitions" of Chapter 710 "Interpretation, Rules of Construction and Definitions" of Title One of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

710.08 DEFINITIONS.

Words and terms used in this Planning and Zoning Code shall be defined in accordance with the provisions set forth in this section.

(h) Words and Terms of letter "H"

Home Based Business: The use of a single family residential dwelling, appurtenant structure, accessory building, and/or property, or a multiple family residential dwelling unit to provide a service, produce a product, sell merchandise, or otherwise engage in an activity for the pursuit of remuneration; excluding the sale of the property and its improvements, garage sales, and infrequent sale of personal property, solely as a residence.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed this _____ day of _____, ~~2012~~ 2014.

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

ORDINANCE NO.: 18-12
INTRODUCED BY: Goodman
REQUESTED BY: Goodman and Icove

July 23, 2012
As Amended by the Zoning &
Planning Committee:
October 27, 2014
For Referral Back to the Planning
Commission: November 10, 2014

AN ORDINANCE

AMENDING SECTION 721.03 "ACCESSORY USES" OF CHAPTER 721 "PERMITTED USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid has requested that Section 721.03 of Chapter 721 "Permitted Uses in Residential Districts" of Title Two of Part Seven of the Codified Ordinances of the City of South Euclid, Ohio relating to "Accessory Uses" within the City be amended; and

WHEREAS, the Council recognizes the need for some citizens to use their place of residence for limited business activities; and

WHEREAS, the Council desires to ensure that home based business are accessory and clearly incidental to the residential use of the dwelling; and

WHEREAS, the Council desires to protect and maintain the character of residential neighborhoods; and

WHEREAS, the Council desires to ensure that home based business do not create excess traffic, activity, noise, or other nuisances; and

WHEREAS, the Council desires to have clarity, consistency, and uniformity in the application of the regulations pertaining to "Accessory Uses"; and

WHEREAS, the Council deems that the aforesaid zoning amendment should be made and that the same is conducive to the public health, safety, convenience, and general welfare of the City.

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

Section 1: That Section 721.03 "Accessory Uses" of Chapter 721 "Permitted Uses in Residential Districts" of Title Two of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

721.03 ACCESSORY USES.

(a) The following accessory uses, and home-based business operations, are permitted in the various Residential Districts, provided that, in the case of home-based businesses, the dwelling is in continuous use as the established place of residence and primary dwelling of the business owner, and provided that the activities do not include any of the following:

1. Dwelling and Structures
 - a. any display or signage the might indicate from the exterior that the dwelling is being used for anything other than residential purposes;
 - b. any alteration of the exterior of the dwelling or appurtenant structures that would change the residential character of the premises;
 - c. use of a garage or appurtenant structure to the extent that it would no longer accommodate the parking of one automobile or truck completely within the structure with the door closed;
 - d. the presence of radio antennae that do not meet the following specific regulations:

- (1) The maximum height is fifty feet from ground elevation;
- (2) All antennae must be attached to the rear of the dwelling where practical; and
- (3) The material and construction of all amateur radio antennae shall be approved by the Commissioner of Building for strength, construction, safety, and durability.

2. Operations

- a. use of the dwelling by more than three non-residents of the dwelling as employees at any one time;
- b. the parking of more vehicles than can be accommodated in the dwelling's driveway or within a reasonable number of on-street parking spaces proximate to the dwelling;
- c. generation of commercial truck traffic other than normal parcel delivery services;
- d. use of the dwelling to produce or sell products that may in themselves, or whose ingredients may, pose a danger to the health of employees or neighbors, or to the integrity of the building itself.

3. External Effects

- a. creation of noise, dust, heat, fumes, odors, smoke, vibration, or other nuisances, including electrical or radio frequency interference;
- b. generation of excessive amounts of trash, materials, or yard waste placed on the curb for pickup by the city's garbage collection contractor.

(b) All residents wishing to operate a home-based business in the City shall register their business with the Economic Development Department, using forms provided for this purpose by the Department.

(c) Business operations shall cease when such use is deemed to be detrimental to the public health, safety, and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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: Wherefore, this Ordinance 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~~ **2014**.

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.: 55-14
INTRODUCED BY: Miller
REQUESTED BY: Gelfand

October 27, 2014
Second Reading: November 10, 2014

A RESOLUTION

AUTHORIZING THE MAYOR AND FIRE CHIEF TO ENTER INTO A CONTRACT WITH THE OHIO ATTORNEY GENERAL FOR THE COLLECTION OF UNPAID BILLS RESULTING FROM ACTS OF EMERGENCY MEDICAL SERVICE PROVIDED TO NON-RESIDENTS OF THE CITY OF SOUTH EUCLID PURSUANT TO CODIFIED ORDINANCE 138.08(c).

WHEREAS, the Fire Chief has informed the Mayor that there exists a substantial amount of unpaid bills for acts of emergency medical service provided to non-residents of the City of South Euclid by the fire department; and

WHEREAS, it is the desire of the Fire Chief, the Mayor, and City Council to enter into an agreement with the Ohio Attorney General’s Office for the collection of the unpaid bills resulting from acts of emergency medical service provided to non-residents; and

WHEREAS, the standard agreement provided by the Attorney General’s Office requests authorization from the political subdivision to enter into the agreement.

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

Section 1: That pursuant to Section 138.08 (c) of the Codified Ordinances of the City of South Euclid and the request of the Ohio Attorney General’s Office, the Council of the City of South Euclid, Ohio hereby authorizes the Mayor and Fire Chief to enter into a “Delinquent Debt Collection Agreement” with the Ohio Attorney General for the collection of unpaid bills resulting from acts of emergency medical service provided to non-residents of the City of South Euclid.

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: 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 _____, 2014.

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.: 57-14
INTRODUCED BY: Miller
REQUESTED BY: Mayor

November 10, 2014

A RESOLUTION

REQUESTING THE PUBLIC UTILITIES COMMISSION OF OHIO (PUCO) LIMIT THE ABILITY OF A UTILITY PROVIDER TO CONDUCT HOME SOLICITATION.

WHEREAS, Ohioans have freedom to choose their electric and natural gas suppliers which has led to increased competition in the marketplace; and

WHEREAS, many of these suppliers provide written communication with their supply offerings, while several suppliers have resorted to hiring marketers and contractors to engage in home solicitation by going door-to-door; and

WHEREAS, these marketers frequently engage in deceptive and aggressive tactics such as; demanding to see a customer's utility bill, not allowing customers to close the door, misrepresenting what company they work for, and misrepresenting the effects of a transaction; and

WHEREAS, the aggressive tactics used by utility companies and their marketers negatively impact members of the community, especially seniors, by deceptively enticing individuals to change their natural gas or electric service provider; and

WHEREAS, utility companies have other channels of solicitation available to them such as direct mail and advertising.

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

Section 1: That the Council and Mayor of the City of South Euclid do hereby request that the Public Utilities Commission of Ohio (PUCO) ban home door-to-door solicitation by utility providers.

Section 2: That the Clerk of Council is hereby authorized and directed to transmit copies of this Resolution to the Public Utilities Commission of Ohio and the Ohio Consumers' Council.

Section 3: 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 4: 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 _____, 2014.

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