

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
Wednesday December 26, 2012
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. OPEN MEETING

4. REPORT OF COMMITTEES

5. MAYOR'S REPORT

6. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 82-12 EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2012. FIRST READING.

2. RESOLUTION 83-12 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIOBIZ WEB CONSULTING, LLC TO FURTHER DEVELOP AND MAINTAIN THE WORLD WIDE WEB SITE FOR THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

3. RESOLUTION 84-12 AUTHORIZING THE ADVANCE OF APPROPRIATED FUNDS IN THE GENERAL FUND TO THE "COPS GRANT FUND #106" AND THE "COMMUNITY DIVERSION FUND #107." FIRST READING.

4. RESOLUTION 85-12 AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS IN THE GENERAL FUND TO THE "GENERAL IMPROVEMENT AND REPAIR FUND." FIRST READING.

5. RESOLUTION 86-12 IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE PROVISIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW. FIRST READING.

6. ORDINANCE 41-12 AMENDING SECTION 933.07, FEES FOR USE, AS CONTAINED IN CHAPTER 933, MUNICIPAL SWIMMING POOLS OF PART NINE STREETS AND PUBLIC SERVICES CODE OF THE CITY OF SOUTH EUCLID; SETTING ADMISSION FEES, SEASON PASSES, SPECIAL PROGRAMS, AND RECIPROCITY WITH THE CITY OF LYNDHURST FOR USE OF THE MUNICIPAL POOLS AND SPLASH PARK BY RESIDENTS OF THE CITY; AND DECLARING AN EMERGENCY. FIRST READING.

7. ORDINANCE 42-12 AMENDING SECTION 770.07 "SIGN DESIGN AND CONSTRUCTION CRITERIA" AND SECTION 770.10 "ADMINISTRATION PROCEDURES" OF CHAPTER 770 "SIGNS" OF TITLE SEVEN OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

8. ORDINANCE 43-12 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012; AND DECLARING AN EMERGENCY. FIRST READING.

7. LAW DIRECTOR'S REPORT

8. LETTERS AND COMMUNICATIONS

9. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO: 82-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

A RESOLUTION

EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2012.

WHEREAS, during the year 2012, certain members of Council have been absent from various meetings of the Council and a list of such absences is attached hereto, marked "EXHIBIT A" and made a part thereof; and

WHEREAS, the Council deems that such absences were for just cause and should be excused; and

WHEREAS, instead of passing a Resolution for each justifiable absence as same occurred, Council has chosen to wait until the end of the year and excuse all justifiable absences by one Resolution.

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

Section 1: That the various absences of Council Members from meetings of the Council of the City of South Euclid, Ohio, as shown by "EXHIBIT A", hereto attached and made a part thereof, by and the same are hereby excused.

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.

Passed this _____ day of _____, 2012.

Edward A. Icove, President Pro-Tem

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

EXHIBIT "A"

FEBRUARY 27, 2012	JANE GOODMAN
APRIL 9, 2012	MOE ROMOEO
APRIL 23, 2012	DAVID MILLER
MAY 14, 2012	JANE GOODMAN
JUNE 11, 2012	MOE ROMEO
SEPTEMBER 24, 2012	RUTH GRAY
OCTOBER 9, 2012:	MOE ROMEO
OCTOBER 22, 2012:	JANE GOODMAN
NOVEMBER 12, 2012	DAVID MILLER
DECEMBER 10, 2012	ED ICOVE
DECEMBER 26, 2012	DAVID MILLER, RUTH GRAY

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 83-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIOBIZ WEB CONSULTING, LLC TO FURTHER DEVELOP AND MAINTAIN THE WORLD WIDE WEB SITE FOR THE CITY OF SOUTH EUCLID, OHIO.

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 Ohio Biz Web Consulting, LLC, to further develop and maintain the City's World Wide Web Site, for the year 2013, under the terms and provisions as contained in the agreement, a copy of which is attached hereto 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 hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. Such necessity exists by reason of the fact that in order to provide professional computer services to properly develop and maintain the City's Web Site, the foregoing must 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.

Edward A. Icove, President Pro-Tem

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.: 84-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

A RESOLUTION

AUTHORIZING THE ADVANCE OF APPROPRIATED FUNDS IN THE
GENERAL FUND TO THE "COPS GRANT FUND #106" AND
THE "COMMUNITY DIVERSION FUND #107."

WHEREAS, funds must be advanced from the General Fund to cover expenses associated with the COPS Grant Fund and the Community Diversion Fund; and

WHEREAS, the Council of the City of South Euclid, Ohio acknowledges that the Ohio Revised Code requires a Resolution authorizing the advance of funds.

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 advance appropriated funds from the General Fund #101 to the following funds in the amounts below:

- | | | |
|----|--------------------------------|-------------|
| 1. | COPS Grant Fund #106: | \$16,750.00 |
| 2. | Community Diversion Fund #107: | \$1,500.00 |

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 _____, 2012.

Edward A. Icove, President Pro-Tem

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.: 85-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

A RESOLUTION

AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS IN THE GENERAL FUND TO THE "GENERAL IMPROVEMENT AND REPAIR FUND."

WHEREAS, appropriated funds must be transferred from the General Fund to cover expenses within the General Improvement and Repair Fund #408; and

WHEREAS, the Council of the City of South Euclid, Ohio acknowledges that the Ohio Revised Code requires a resolution authorizing the transfer of funds.

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 transfer appropriated funds from the General Fund #101 to the following fund in the amount below:

- | | |
|---|--------------|
| 1. General Improvement and Repair Fund #408 | \$160,000.00 |
|---|--------------|

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 _____, 2012.

Edward A. Icove, President Pro-Tem

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.: 86-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

A RESOLUTION

IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW.

WHEREAS, the electors of the City of South Euclid approved an amendment to Article V, Section 1 of the City Charter on November 6, 2012; and

WHEREAS, said amendment requires City Council to confirm or reject the Mayor's appointment of the Director of Law within 30 days of the Council meeting following the notification of appointment; in addition, Council shall confirm or reject the incumbent Director of Law within the January 2, 2013 through January 31, 2013 time period and every two years thereafter; Council's failure to act in either of these situations shall result in automatic confirmation; and

WHEREAS, the Mayor hereby requests City Council affirm the appointment of the incumbent Law Director, Michael P. Lograsso.

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

Section 1: That in accordance with Article V "Administrative Provisions" of Section 1 "General Provisions" of the Charter of the City of South Euclid, Ohio, the Council of the City of South Euclid hereby confirms the appointment of the incumbent Director of Law Michael P. Lograsso.

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 hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City, and for the further reason that this Resolution must be passed by January 31, 2013 in order to conform to the requirements of Article V, Section 1 of the Charter of the City of South Euclid; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval by 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

ORDINANCE NO.: 41-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

AN ORDINANCE

AMENDING SECTION 933.07, FEES FOR USE, AS CONTAINED IN CHAPTER 933, MUNICIPAL SWIMMING POOLS OF PART NINE STREETS AND PUBLIC SERVICES CODE OF THE CITY OF SOUTH EUCLID; SETTING ADMISSION FEES, SEASON PASSES, SPECIAL PROGRAMS, AND RECIPROCITY WITH THE CITY OF LYNDHURST FOR THE USE OF THE MUNICIPAL SWIMMING POOLS AND SPLASH PARK BY RESIDENTS OF THE CITY; AND DECLARING AN EMERGENCY.

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

Section 1: That Section 933.07, Fees for Use, as contained in Chapter 933, Municipal Swimming Pools of Part Nine-Streets and Public Services Code of the Codified Ordinances of South Euclid be and the same is hereby amended to read as follows:

“933.07 ADMISSION FEES; SEASON PASSES; AND SPECIAL PROGRAMS.
The charge for use of the municipal swimming pools and splash park by residents of the City of South Euclid shall be as follows:

- (a) Season passes for residents of the City of South Euclid for each season commencing with the swimming season ~~2012~~ 2013 shall be Fifty Five (\$55.00) each, with a maximum cost of One Hundred and Fifty Dollars (\$150.00) per family. Each Family pass shall allow for up to a maximum of 4 family member entrances, with any additional family members added for \$5.00 per person. There will be no charge for senior citizens 60 years and over. A free “family” swimming pass shall be issued to families with a member who has a disability. “Family” shall be as defined below, “Disabled” shall be defined in accordance with the Federal Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.)

Residents applying for passes or admission must present proper identification showing residence in the City of South Euclid, such as a valid Driver’s License, State-issued ID, lease agreement or current financial document. All employees of the City of South Euclid, regardless of their residency, may purchase a single or family swim pass.

Season passes shall not be sold to any child under the age of five (5) years old. All children four (4) and under will be admitted free, but must be accompanied by an adult who has a season pass or pays admission or by a young adult, fourteen (14) years or over, with a note of request signed by the parent or guardian.

“Family,” as used in this section, means the members of a household living as a single housekeeping unit in a dwelling unit who are related to the nominal head of the household or to the spouse of the nominal head of the household, and includes:

- (1) Husband or wife of the nominal head of the household;
and
- (2) Unmarried children of the nominal head of the household, provided, however, that such unmarried children have no children residing with them.

A family may consist of one individual.

Upon presenting proper identification showing residence, such as a valid Driver’s License, State-Issued ID, lease agreement or current financial document, summer guests of South Euclid residents or residents of Richmond Heights who attend the South Euclid-Lyndhurst School District may purchase South Euclid individual non-resident season passes for Seventy-five Dollars (\$75.00) each. There will be no family rates for non-resident passes.

Continued...

- (b) Single admission fee for South Euclid residents shall be Five Dollars (\$5.00) per person; single admission tickets for non-residents of the City shall be Six Dollars (\$6.00) per person. Such non-residents shall be a guest of a resident and shall be accompanied at all times during the use of the swimming facilities by the resident host. Guests and resident hosts shall sign their names into a registration log sheet provided for guests. Not more than six (6) guests may accompany one South Euclid family per day. The resident host shall vouch for the good behavior and conduct of his or her guests while using the City pool facilities.

Conditioned on reciprocity rights being granted by the City of Lyndhurst to South Euclid residents who are season swimming pass holders, Lyndhurst residents who are season swimming pass holders of that City will be permitted the use of South Euclid swimming pools.

Lyndhurst residents who are swimming pass holders of that City and participants in the SELREC Day Camp Program will be permitted the use of the South Euclid swimming pools without payment of an admission charge so long as and during such periods as reciprocity is granted by the City of Lyndhurst to South Euclid residents who are season swimming pass holders.

Children who do not have season swim passes and who are enrolled in the SELREC Camp Program or a duly licensed charitable South Euclid based summer camp program must pay for a Twenty dollar (\$20.00) camper pass for admission to the South Euclid Pools. The South Euclid-Lyndhurst Recreation Commission will collect the camper fee and remit the same to the City of South Euclid.

- (c) A one week pass may be purchased at the rate of Twenty-Five Dollars (\$25.00) per season by non-resident house guests of South Euclid residents. Said pass shall be issued in the name of the guest, dated and be non-transferable.
- (d) Regular season pass holders, including non-resident pass holders, may participate in the Learn-To-Swim program by purchasing a Learn-To-Swim pass for Twenty Dollars (\$20.00) per individual Learn-To-Swim course based on three (3) three-week sessions. First preference for Learn-To-Swim courses must be offered to South Euclid residents, and then to non-residents and those otherwise eligible to purchase season passes may participate in the Learn-To-Swim program by purchasing a Learn-To-Swim pass for Twenty Dollars (\$20.00). The Learn-To-Swim program shall include special courses of instruction as met with the approval of the Pool Supervisor. The competitive program shall be open only to South Euclid residents who are season pass holders.

Diving lessons shall be Twenty Dollars (\$20.00) per three-week session.

American Red Cross Basic Water Rescue, Lifeguarding, and Water Safety Instructor Courses shall be offered at the rate of the providing organization.

Non-pass holders who are residents of the City of South Euclid may participate in the above mentioned courses, upon payment of the daily admission charge AND any applicable tuition fee for each lesson. Pool employees may participate in Basic Water Rescue and Life-guarding at no admission cost.

- (e) There shall be no refunds for season passes or Learn-To-Swim from and after the date that the swimming pools have opened.
- (f) There shall be a charge of Five Dollars (\$5.00) for replacement of a lost pass. Pictures on photo IDs may not be replaced until at least three pool seasons have passed.

Continued...

- (g) In addition thereto, the Director of Public Service shall establish such miscellaneous charges as may be necessary to compensate the City for costs due to loss, destruction or misuse or retention of equipment.
- (h) Private parties hosted by a South Euclid resident at Bexley Pool will be authorized during the hours of 6:30 p.m. to 8:30 p.m. on Sundays only. A fee of One Hundred Seventy Dollars (\$170.00) for the rental will be charged. If the pool is closed due to rain or cold weather on the scheduled pool party date, another date may be selected (upon availability) or a refund given.

In the event of damage, the party concerned will be responsible for any and all damage done. A non-refundable deposit of Seventy-five Dollars (\$75.00) shall be required at the time of setting and securing the date of rental for each private party. No more than two hundred (200) people shall be permitted at a private party.

All regulations currently in effect and as required by Ordinance for the use of the pools are applicable to private parties. A person twenty-one (21) years of age or older shall be present at the private party and responsible for the conduct of persons present and any damages to property.

- (i) **Splash Park:** A valid South Euclid pool pass or Splash Park Pass is required for admission by anyone age 13 and under, including children under the age of 6 and those adults not accompanied by children. Splash Park passes are available only to South Euclid residents, residents of Lyndhurst, and those residents of Richmond Heights who attend the South Euclid-Lyndhurst City Schools, upon presenting proper identification, per Section 1 (a). All employees of the City of South Euclid, regardless of their residency, may purchase a single or family Splash Park pass.

Season passes for use of the Splash Park at Quarry Park only shall be \$35 for an individual or family of up to four people. \$5 for each additional pass. Residents of South Euclid, Lyndhurst, and those residents of Richmond Heights who attend the South Euclid-Lyndhurst City Schools, may purchase daily passes for \$1 per day, per child.

All children under the age of 12 must be accompanied by an adult or by a young adult, fourteen (14) years or over, with a note of request signed by the parent or guardian. Adults, defined as a person fourteen (14) years or over, accompanied by children, will not have to pay an admission fee to enter the Splash Park. Those adults who are not accompanied by children will be required to purchase a daily pass for \$3 per day, per person, to enter the Splash Park.

Individuals who do not reside in South Euclid, Lyndhurst, or the portion of Richmond Heights served by the South Euclid-Lyndhurst Schools, will be admitted to the Splash Park upon paying a \$2 daily admission fee. Non-residents are not eligible to purchase a season pass. Non-resident adults accompanied by children will not be charged an admission fee. Non-resident unaccompanied adults will be required to pay a \$5 admission fee to enter the Splash Park.

- (j) All Pool and Splash Park passes are nontransferable.

Section 2: That existing Section 933.07, Fees for Use, as contained in Chapter 933, Municipal Swimming Pools of Part Nine-Streets and Public Services Code of the Codified Ordinances of South Euclid and all other ordinances or parts of ordinances inconsistent herewith, be and the same are hereby expressly repealed.

Section 3: That except as herein amended and supplemented all the provisions of Chapter 933, Municipal Swimming Pools of Part Nine-Streets and Public Services Code of the Codified Ordinances of South Euclid shall remain in full force and effect.

Continued...

Section 4: 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 5: That this Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for the further reason that the same effects the day to day business of various departments of the municipality. Wherefore, this ordinance shall take effect upon passage and approval

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

ORDINANCE NO.: 42-12
INTRODUCED BY: Icove
REQUESTED BY: Mayor

December 26, 2012

AN ORDINANCE

AMENDING SECTION 770.07 "SIGN DESIGN AND CONSTRUCTION CRITERIA" AND SECTION 770.10 "ADMINISTRATION PROCEDURES" OF CHAPTER 770 "SIGNS" OF TITLE SEVEN OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, in order to create consistency in the city's signage approval process, City Council wishes to amend Section 770.07 and 770.10 of the Codified Ordinances.

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

Section 1: That Section 770.07 "Sign Design and Construction Criteria" and Section 770.10 "Administration Procedures" of Chapter 770 "Signs" of Title Seven 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:

770.07 SIGN DESIGN AND CONSTRUCTION CRITERIA.

In addition to ensuring compliance with the numerical standards of these regulations, the Council, ~~Planning Commission,~~ Architectural Review Board and Zoning Administrator, as the case may be, shall consider the proposed general design arrangement and placement of the sign according to the following criteria:

(a) Design Criteria.

- (1) The lettering shall be large enough to be easily read but not overly large or out of scale with the building or site.
- (2) The sign should be consolidated into a minimum number of elements.
- (3) The ratio between the message and the background shall permit easy recognition of the message.
- (4) The size, style and location of the sign shall be appropriate to the activity of the site.
- (5) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture of the building.
- (6) Signs shall be designed with a limited number of, and harmonious use of, colors.
- (7) Signs, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or block.
- (8) Instructional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.

(b) Illumination. Signs permitted to be illuminated shall comply with South Euclid Codified Ordinances, Chapter 1328, "Outdoor Lighting," and the following:

- (1) Signs shall not include flashing, moving or intermittent lighting where any part of the message changes at a rate of more than once every ten seconds.
- (2) The illumination of signs shall not obstruct traffic control or any other public informational signs. Signs visible from sight lines along streets shall not contain symbols or words, or red and green lights that resemble highway traffic signs or devices.

(c) Construction Standards.

(1) All signs shall be constructed in a professional manner in conformance with the appropriate building code and other applicable requirements of the City and shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.

(2) Permanent signs shall be fabricated on and of materials that are of good quality and good durability.

(3) All signs shall be rigidly secured and no sign shall swing. No part of any sign shall be revolving, oscillating or otherwise designed to move to attract attention.

(4) No sign shall be erected to project over or obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.

(5) No sign shall be located on the roof of any building.

(6) Temporary signs shall be of durable and weather-resistant material suitable for its intended use, non-illuminated and fastened or anchored sufficiently, whether attached to the building, structure, or positioned in the ground.

(7) No sign shall be located in the public right-of-way or attached to a utility pole, tree, trash receptacle, bench or other structure not intended or approved as a sign support.

(8) The external walls, fascia, parapet or chimney of a building shall be restored to its original condition before the mounting of any signs.

(d) Electronic message displays may be permitted subject to Section 770.10 Administration Procedures and subject to the following requirements:

(1) Operational limitations. Such displays shall be limited to static displays, messages that appear or disappear from the display through dissolve, fade, travel or scroll modes, or similar transitions and frame effects that have text, animated graphics or images that appear to move or change in size, or be revealed sequentially rather than all at once.

(2) Minimum display time. Each message on the sign must be displayed for a minimum of ten seconds.

A. No message transition may be displayed for less than one-half second.

B. No message may be repeated at intervals of less than two seconds.

(3) Illumination. No electronic message display may be illuminated to a degree of brightness that is greater than necessary for adequate visibility.

(4) An electronic message display sign that is nonconforming as outlined by the requirements of this chapter shall, within thirty days from the date of the enactment of this chapter, be altered to comply with the provisions of this chapter or be removed.

770.10 ADMINISTRATION PROCEDURES.

(a) Architectural Review Board. In addition to all the requirements within the Planning and Zoning Code for the City of South Euclid, the Architectural Review Board shall review all sign applications as identified within this chapter.

(b) Signs Requiring a Permit. Except as otherwise regulated by Section 770.03 and Section 770.04, permits are required prior to the erection or alteration of all permanent signs, including wall signs, awning or canopy signs, window signs, monument signs, temporary special event signs, projecting signs, freestanding long-term signs (commercial district only), and public purpose/safety signs.

(c) Signs not Requiring Permit. The erection of freestanding signs in residential districts, building markers and window signs shall not require a permit.

(d) Signs in the C-C District. Signs proposed in the C-C District that require a permit, according to division (a) of this section, shall be subject to the review and approval of the ~~Planning Commission~~ and Architectural Review Board, in accordance with Chapter 738.

(e) Sign Concept Plan. For all buildings, development projects and institutional buildings within all zoning districts that now exists or are herein after enacted, the Architectural Review Board shall approve basic sign parameters that set forth the location, size and style of each sign under this chapter. Such sign parameters shall be established when the Architectural Review Board reviews development plans for new buildings or at the time, a specific sign application is made for an identification sign for an existing building. Whenever the Architectural Review Board has approved such sign parameters, the Zoning Administrator shall be authorized to review and approve any subsequent sign application submitted for a tenant of the development or building that complies with such sign parameters.

(f) Application Requirements. An application for a sign permit shall be made to the Zoning Administrator on the form provided. The application shall include two copies; one copy depicting the actual colors of the building and sign, either drawing or photo, with the second copy at eight and one-half by eleven size and suitable for reproduction. The application shall present the sign in a manner which best illustrates how the sign shall be experienced by the public after it is erected on the site. Specifically, the application shall include:

- (1) A complete site plan or photograph showing the location of the sign and its relationship to the building, the building setbacks and lot width, the locations and square footage areas of all existing signs on site, the adjacent parcels and parking lots, drives and sidewalks;
- (2) Detailed drawings showing the design of the sign, including size, content, style of lettering, logo and other graphic features, colors of the applied lettering and background, materials of the sign and the frame or structure, and approximate weight of the sign;
- (3) Construction, erection or fastening details, including wattage of electric lamps or illuminating tubes, if applicable;
- (4) A detailed landscape plan of the sign site location; and
- (5) A permit fee for each sign application, as established by City Council.

When an person other than the owner of the property submits a sign application, the owner of the property or a designated agent for the owner shall also sign such application.

(g) Issuance of Permits.

(1) The applicant shall submit the sign application to the Zoning Administrator for review. The Zoning Administrator shall determine if the proposed sign is in full compliance with the requirements of this Zoning Ordinance.

(2) Upon acceptance of the application, the Zoning Administrator shall submit the application to the Architectural Review Board for its review and recommendation pursuant to the procedures and requirements set forth by Section 770.07 of this chapter. ~~and when applicable, the Planning Commission for site plan and/or conditional use review.~~

(3) The Zoning Administrator shall not issue a permit for a proposed sign unless the application complies with all requirements of this chapter and all other applicable ordinances of the City, and has received the approval of the Zoning Administrator, Architectural Review Board, and when applicable, ~~the Planning Commissioner and/or~~ City Council.

(h) Validity of Permit. If the work authorized under a sign permit has not been initiated within one year after the date of issuance, the permit shall become null and void.

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: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for further reason that consistency in the City's Codified Ordinances is desired. 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 _____, 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

ORDINANCE NO.: 43-12
 INTRODUCED BY: Icove
 REQUESTED BY: Mavor

December 26, 2012
 Final

AN ORDINANCE

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012; AND DECLARING AN EMERGENCY.

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

Section 1: That to provide for the current expenses and other expenditures of the City of South Euclid during the fiscal year ending December 31, 2012, the sums as herein set forth be and the same are hereby made. Said sums to be used to implement this 2012 Revenue and Expense.

Section 2: That there be appropriated from the General Fund:

PROGRAM I - Security of Persons and Property

POLICE DEPARTMENT - 1110

Personal Services	\$4,461,038	
Other Charges	<u>207,820</u>	
Total Police Department		\$4,668,858

POLICE - ADMINISTRATIVE - 1111

Personal Services	\$100,141	
Other Charges	<u>1,000</u>	
Total Police Department-Administrative		\$101,141

POLICE - SCHOOL GUARDS - 1112

Personal Services	\$41,054	
Other Charges	<u>12,900</u>	
Total Police Department-School Guards		\$53,954

POLICE - CORRECTIONS - 1113

Personal Services	\$59,957	
Other Charges	<u>1,000</u>	
Total Police Department-Corrections		\$60,957

FIRE DEPARTMENT - 1120

Personal Services	\$3,898,526	
Other Charges	<u>134,750</u>	
Total Fire Department		\$4,033,276

FIRE HYDRANTS - 1122

Other Charges	<u>31,500</u>	
Total Fire Hydrants		\$31,500

DISPATCHERS - 1130

Personal Services	\$489,850	
Other Charges	<u>21,188</u>	
Total Dispatchers		<u>\$511,038</u>

TOTAL PROGRAM I		\$9,460,724
------------------------	--	--------------------

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210

Other Charges	<u>\$129,000</u>	
Total Public Health & Welfare		<u>\$129,000</u>
TOTAL PROGRAM II		\$129,000

PROGRAM III - Leisure Time Activities

RECREATION - 3310

Personal Services	\$62,026	
Other Charges	<u>263,450</u>	
Total Recreation		\$325,476

COMMUNITY CENTER - 3350

Personal Services	\$150,768	
Other Charges	<u>43,534</u>	
Total Community Center		<u>\$194,302</u>
TOTAL PROGRAM III		\$519,778

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

Personal Services	\$677,179	
Other Charges	<u>40,904</u>	
Total Building Department		\$718,083

ECONOMIC DEVELOPMENT - 4430

Personal Services	\$61,785	
Other Charges	<u>62,216</u>	
Total Economic Development		\$124,001

COMMUNITY RELATIONS - 4440

Personal Services	\$71,807	
Other Charges	<u>35,600</u>	
Total Community Relations		\$107,407

CITY BOARDS & COMMISSIONS - 4450

Personal Services	\$35,903	
Other Charges	<u>950</u>	
Total Boards & Commissions		<u>\$36,853</u>

YOUTH INITIATIVE -4460

Personal Services	\$19,698	
Other Charges	<u>28,127</u>	
Total Youth Initiative		<u>\$47,825</u>

TOTAL PROGRAM IV		\$1,034,169
-------------------------	--	--------------------

PROGRAM V - Basic Utility Service

REFUSE COLLECTION & DISPOSAL - 5510

Other Charges	<u>\$1,400,000</u>	
Total Refuse Collection & Disposal		\$1,400,000

CURBSIDE RECYCLING - 5520

Personal Services	\$141,547	
Other Charges	<u>24,200</u>	
Total Curbside Recycling		\$165,747

TOTAL PROGRAM V

\$1,565,747

PROGRAM VI - Transportation

SERVICE DEPARTMENT - 6610

Personal Services	\$497,089	
Other Charges	<u>117,470</u>	
Total Service Department		\$614,559

GARAGE - 6620

Personal Services	\$177,172	
Other Charges	<u>196,000</u>	
Total Garage		\$373,172

TOTAL PROGRAM VI

\$987,731

PROGRAM VII - General Government

MAYOR'S OFFICE - 7710

Personal Services	\$178,393	
Other Charges	<u>13,421</u>	
Total Mayor's Office		\$191,814

LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720

Personal Services	\$100,763	
Other Charges	<u>4,904</u>	
Total Legislative Activities (City Council)		\$105,667

FINANCE ADMINISTRATION - 7730

Personal Services	\$299,089	
Other Charges	<u>37,273</u>	
Total Finance Administration		\$336,362

INCOME TAX ADMINISTRATION (RITA) - 7731

Personal Services	\$0	
Other Charges	<u>340,000</u>	
Total Income Tax Administration		\$340,000

LEGAL ADMINISTRATION - 7740

Personal Services	\$140,882	
Other Charges	<u>293,977</u>	
Total Legal Administration		\$434,859

JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750

Personal Services	\$736,539	
Other Charges	<u>31,445</u>	
Total Judicial Activities (Municipal Court)		\$767,984

CIVIL SERVICE COMMISSION - 7760

Personal Services	\$7,825	
Other Charges	<u>619</u>	
Total Civil Service Commission		\$8,444

ENGINEERING - 7770

Personal Services	\$19,098	
Other Charges	<u>6,000</u>	
Total Engineering		\$25,098

MUNICIPAL COMPLEX - 7780

Personal Services	\$600	
Other Charges	<u>465,237</u>	
Total Municipal Complex		\$465,837

GENERAL SERVICES - 7790

Personal Services	\$45,000	
Other Charges	<u>494,442</u>	
Total General Services		\$539,442

INSURANCE - 7791

Personal Services	\$0	
Other Charges	<u>199,169</u>	
Total Insurance		\$199,169

TRANSFERS/ADVANCES OUT -9910/9920

Other Charges	<u>\$560,000</u>	<u>\$560,000</u>
---------------	------------------	------------------

TOTAL PROGRAM VII

\$3,974,676

TOTAL GENERAL FUND

\$17,671,825

Section 3: That there be appropriated from the Special Revenue Funds:

OPERATION HOME IMPROVEMENT (FUND 103/104)

Other Charges	<u>\$513,114</u>	
Total		\$513,114

COPS GRANT (FUND 106)

Personal Services	\$20,000	
Other Charges	<u>0</u>	
Total		\$20,000

COMMUNITY DIVERSION PROGRAM (FUND 107)

Personal Services	\$7,369	
Other Charges	<u>1,563</u>	
Total		\$8,932

STREET CONSTRUCTION & MAINTENANCE (FUND 202)

Personal Services	\$551,806	
Other Charges	<u>264,500</u>	
Total		\$816,306

STATE HIGHWAY IMPROVEMENT (FUND 203)

Personal Services	\$0	
Other Charges	<u>55,000</u>	
Total		\$55,000

PARKING LOTS & PARKING METERS (FUND 205)

Personal Services	\$0	
Other Charges	<u>23,500</u>	
Total		\$23,500

SWIMMING POOLS (FUND 206)

Personal Services	\$202,874	
Other Charges	<u>101,750</u>	
Total		\$304,624

PERMISSIVE MOTOR VEHICLE TAX (FUND 207)

Other Charges	<u>\$130,000</u>	
Total		\$130,000

POLICE RANGE (FUND 220)

Other Charges	<u>\$30,000</u>	
Total		\$30,000

LAW ENFORCEMENT TRUST (FUND 221)

Other Charges	<u>\$50,000</u>	
Total		\$50,000

FEMA FIREFIGHTERS GRANT (FUND 222)

Other Charges	<u>\$0</u>	
Total		\$0

STREET LIGHTING (FUND 511)

Other Charges	<u>\$480,500</u>	
Total		\$480,500

SEWER MAINTENANCE (516)

Personal Services	\$358,562	
Other Charges	<u>73,950</u>	
Total		\$432,512

SEWER REHABILITATION (517)

Other Charges	<u>\$1,251</u>	
Total		\$1,251

POLICE PENSION (FUND 614)

Other Charges	<u>\$123,000</u>	
Total		\$123,000

FIRE PENSION (FUND 615)

Other Charges	<u>\$123,000</u>	
Total		\$123,000

SICK LEAVE BENEFIT (FUND 926) \$100,000

Total		\$100,000
-------	--	-----------

TOTAL SPECIAL REVENUE FUNDS:

\$3,211,739

Section 4: That there be appropriated from the Bond Retirement Funds:

GENERAL BOND RETIREMENT (FUND 327)

Other Charges	<u>\$67,450</u>	
Total		\$67,450

RECREATION BOND RETIREMENT (FUND 328)

Other Charges	<u>\$40,689</u>	
Total		\$40,689

SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)

Other Charges	<u>\$55,800</u>	
Total		\$55,800

TOTAL BOND RETIREMENT FUNDS: \$163,939

Section 5: That there be appropriated from the Capital Project Funds:

CAPITAL PROJECT FUNDS

GENERAL IMPROVEMENT & REPAIR (FUND 408)

Other Charges	<u>\$998,346</u>	
Total		\$998,346

SAFETY FORCES VEHICLES (FUND 409)

Other Charges	<u>\$250,200</u>	
Total		\$250,200

POLICE VEHICLES & EQUIPMENT (FUND 411)

Other Charges	<u>\$23,000</u>	
Total		\$23,000

RECREATION CONTINGENCY (FUND 418)

Other Charges	<u>\$0</u>	
Total		\$0

WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)

Other Charges	<u>\$1,983,400</u>	
Total		\$1,983,400

ROAD RESURFACING (FUND 425)

Other Charges	<u>\$1,047,500</u>	
Total		\$1,047,500

FLOOD CONTROL (FUND 426)

Other Charges	<u>\$4,241,022</u>	
Total		\$4,241,022

SIDEWALK IMPROVEMENT PROGRAM (FUND 427)

Other Charges	<u>\$7</u>	
Total		\$7

STAN HOPE PARKING LOT (FUND 430)

Other Charges	<u>\$2,853</u>	
Total		\$2,853

ISSUE II PROJECTS (FUND 431)

Other Charges	<u>\$464,650</u>	
Total		\$464,650

LAND ACQUISITION (FUND 440)

Other Charges	<u>\$19,740,083</u>	
Total		\$19,740,083

TOTAL CAPITAL PROJECT FUNDS:		\$28,751,061
-------------------------------------	--	---------------------

TRUST & AGENCY (FUND 917)

Other Charges	<u>\$941,600</u>	
Total		\$941,600

TOTAL TRUST & AGENCY FUND:		<u>\$941,600</u>
---------------------------------------	--	-------------------------

GRAND TOTAL		<u>\$50,740,165</u>
--------------------	--	----------------------------

Section 6: That the City Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the Board of Officers authorized by law to approve same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that the appropriation for contingencies can be expended upon approval of a two-thirds vote of Council for items constituting a legal obligation against the City for purposes other than those covered by other specific appropriations, herein made.

Section 7: 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 8: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for further reason that funds cannot be properly disbursed in 2012 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2012.

Edward A. Icové, President Pro-Tem

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael Lograsso, Director of Law

First Reading: _____
Second Reading: 12/26/12
Third Reading: _____
Requested Deadline for Council Passage: December 26, 2012