

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
December 28, 2015
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

- 3. SWEARING-IN CEREMONY:** Auxiliary Police Officers Stephen Kandrach & Antwaun Armstrong

4. OPEN MEETING

5. REPORT OF COMMITTEES

ZONING & PLANNING COMMITTEE

1. ORDINANCE 20-15 AN ORDINANCE AMENDING CHAPTER 943 "TREE COMMISSION/TREES" OF PART NINE "STREETS AND PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

6. LEGISLATION REQUESTED BY CITY COUNCIL

1. RESOLUTION 46-15 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. **SECOND READING.**

7. MAYOR'S REPORT

8. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 54-15 EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2015. FIRST READING.
2. RESOLUTION 55-15 SETTING THE DATE FOR THE FIRST REGULARLY SCHEDULED MEETING OF THE COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2016. FIRST READING.
3. ORDINANCE 30-15 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. **PLACED ON FIRST READING FOR REFERRAL TO THE RECREATION COMMITTEE.**

4. ORDINANCE 31-15 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, 2015; AND DECLARING AN EMERGENCY. FIRST READING.

9. LAW DIRECTOR'S REPORT

10. LETTERS AND COMMUNICATIONS

11. RECOGNITION CEREMONY

1. RESOLUTION 56-15 IN APPRECIATION TO DR. DAVID B. MILLER FOR HIS YEARS OF DILIGENT SERVICE ON SOUTH EUCLID CITY COUNCIL AND TO THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

12. ADJOURN

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 20-15
INTRODUCED BY: Miller
REQUESTED BY: Goodman

September 16, 2015
As Amended by the Zoning & Planning Committee
Second Reading: December 28, 2015

AN ORDINANCE

AN ORDINANCE AMENDING CHAPTER 943 "TREE COMMISSION/TREES" OF PART NINE "STREETS AND PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

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

Section 1: That Chapter 943 "Tree Commission/Trees" of Part Nine "Streets and Public Services" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

- 943.01 Short title.
- 943.02 Definitions.
- 943.03 Tree Commission; creation and establishment.
- 943.04 Director.
- 943.05 Compensation.
- 943.06 Operation.
- 943.07 Duties and responsibilities.
- 943.08 Master Tree Plan.
- 943.09 Tree species to be planted.
- 943.10 Spacing.
- 943.11 Distance from curb and sidewalk.
- 943.12 Distance from street corners and fire hydrants.
- 943.13 Utilities.
- 943.14 Public tree care.
- 943.15 Removal, replanting and replacement of public trees.
- 943.16 **Tree Canopy Mitigation/Topping** of public trees.
- 943.17 Obstruction; trees pruned. (Repealed)
- 943.18 Dead or diseased tree removal on private property. (Repealed)
- 943.19 Abuse and/or mutilation of public trees.
- 943.20 Placing materials on public property.
- 943.21 Protection of public trees.
- 943.22 Public utility companies.
- 943.23 Emergencies.
- 943.24 Interference with Tree Commission.
- 943.25 Registration of tree experts: (Repealed)
- 943.26 Commission as trustee.
- 943.27 **Establishment of fund.**
- 943.28 Review by Council.
- 943.29 Appeal procedure.
- 943.30 Conflict.
- 943.99 Penalty.

CROSS REFERENCES

Destruction of trees - see GEN. OFF. 541.06

Trees generally - see S. & P.S. Ch. 907

943.01 SHORT TITLE.

This chapter shall be known and may be cited as the Tree Ordinance of the City of South Euclid, Ohio.

(Ord. 16-92. Passed 7-27-92.)

943.02 DEFINITIONS.

As used within this chapter, the following terms shall have the meanings set forth in this section:

- (a) "Tree" means:
- (1) Any living woody plant with needles or scale-type leaves that has a well-defined stem or stems with a diameter of at least six inches at four and one-half feet from the surface of the ground.
 - (2) Any living, self-supporting woody broad leaf plant that has a well-defined stem or stems with a diameter of at least two inches at four and one-half feet from the surface of the ground.
 - (3) Any living self-supporting woody plant that has a well-defined stem or stems which has been intentionally cultivated and established.
- (b) "Public trees" includes all trees now or hereafter growing on any street, park or any other public site.
- (c) "Streets, alleys, highways or ways" means the entire width of every public way or right of way when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular and pedestrian traffic.
- (d) "Property line" means the legal boundary line between private and City-owned land.
- (e) "Tree lawn" means that part of a street not covered by a sidewalk or other paving, lying between the property line and that portion of the street usually used for vehicular traffic.
- (f) "Property owner" means the person owning such property as shown by the County Auditor's Plat of Cuyahoga County, State of Ohio.
- (g) "Large trees" means those trees **expected to attain** ~~attaining~~ a height of forty-five feet or more.
- (h) "Medium trees" means those trees **expected to attain** ~~attaining~~ a height of thirty to forty-five feet.
- (i) "Small tree" means those trees **expected to attain a height** under thirty feet.
- (j) "Remove" or "removal" means the removal of all above and below ground parts, including the stump and roots.
- (k) "Diameter at Breast Height" (D.B.H.) means a tree's diameter in inches measured by a diameter tape at four and one-half feet from the surface of the ground. On trees having multiple stems, the largest diameter stem shall be measured.
- (l) "Parks" includes any City public spaces designated for recreation and/or conservation.
- (m) "Public site" includes any other ground owned by the City.
- (n) "Dripline" means the approximately circular vertical extension to the ground of the outermost branches and/or leaves of the tree as an indication of the spread of the root system.
- (o) "Critical Root Zone" is an area equivalent to one foot per inch of Diameter at Breast Height from the tree.**

943.03 TREE COMMISSION; CREATION AND ESTABLISHMENT.

There is hereby created and established a Tree Commission for the City, to consist of seven **nine** voting members, as follows:

(a.) Members are to be appointed in the following manner:

Two voting Public Members appointed by the Mayor; Four voting Public Members appointed by Council in a manner to be determined by that body. One voting seat shall be occupied by the City Arborist or a Certified Arborist serving in that position under contract. One voting seat shall be occupied by a representative of the Building and Housing Department. The remaining voting seat shall be occupied by a member of Council appointed by the President of Council. The Director of Public Service shall occupy a non-voting seat on the Commission. Up to two additional ex-officio (non-voting) members may be appointed upon agreement between Council and the Mayor so as to insure that expertise in urban forestry is well represented.

(b.) Terms – Public Members shall serve four-year terms. Terms shall begin on either January 1 or July 1 of the year in which a member is appointed. Public Members may be reappointed to no more than three consecutive terms. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

(c.) Eligibility – Public Members shall be residents of the City of South Euclid.

(d.) Qualifications – Public Members shall, within three years of their appointment, have completed either Tree Commission Academy presented by the Ohio Department of Natural Resources Division of Forestry or receive other training in urban forestry, tree care, and public tree management. Those who do not fulfill this obligation are not eligible for reappointment to a new term.

~~The seven members are to be qualified electors of the City, not holding other public office within the City, and each council person is to appoint one member to the Commission for a term of four years.~~

~~A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment.
(Ord. 16-92. Passed 7-27-92.)~~

~~943.04 DIRECTOR.~~

~~The Director of Public Service shall serve as the Ex Officio Director of the Tree Commission.
(Ord. 42-99. Passed 6-28-99.)~~

943.05 COMPENSATION.

Members of the Tree Commission shall serve without compensation, but shall be entitled to reimbursement for any and all necessary expenditures in carrying out the duties of such Commission and may retain the services of qualified professionals when necessary to facilitate the function of such Commission.

943.06 OPERATION.

The Tree Commission shall meet **at least three times each year or as needed** ~~once every two months~~ and shall hold its first meeting **within three** ~~in the months of following enactment of this chapter, at which time it shall elect a chairman and vice-chairman and thereafter shall elect officers at its first meeting in January of each year.~~ A majority of **voting** members shall constitute a quorum and any actions of the Commission may be taken by a majority of the **voting** members present at the meeting at which the action is taken. **A special meeting may be called by the chairperson, or in his/her absence, the vice-chairperson, or by any two Tree Commissioners. Members may participate in up to two meetings per year via conference call or video conference/interaction. Meetings of the Tree Commission shall be open to the public and announced in advance via the city website or other appropriate means.** The Commission shall keep minutes of its meetings and file them with the Clerk of Council. ~~A special meeting may be called by the chairman, or in his absence, the vice-chairman or by any two Tree Commissioners.~~

943.07 DUTIES AND RESPONSIBILITIES.

It shall be the responsibility of the Tree Commission to develop, administer and maintain a written plan to be known as the Master Tree Plan.

The Commission, when requested by Council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work. The Commission shall study the problems and determine the needs of the City in connection with its tree planting **and maintenance** program.

The Commission shall recommend to the Director of Public Service, the type and kind of trees to be planted upon such City streets or parts of City streets or in parks as designated.

The Commission shall assist the Director of Public Service, as well as Council and residents of the Municipality in the dissemination of news and information regarding the selection, planting and maintenance of trees within the corporate limits, whether the same are on private or public property and shall make such recommendations from time to time to Council as to desirable legislation concerning the tree ~~planting~~ program and activities for the Municipality. The Commission shall work in conjunction with civic and public interest groups devoted to tree care and preservation. **The Commission shall plan and sponsor the city's annual Arbor Day celebration on the last Friday in April.**

~~The Commission shall convene regular and special meetings at which the subject of trees, insofar as it relates to the Municipality, may be discussed by members of the Commission, officers and personnel of the City and its several divisions and all others interested in the tree program.~~

943.08 MASTER TREE PLAN.

The Tree Commission shall have the authority to formulate a Master Tree Plan. The Master Tree Plan shall include the inventory of existing public trees and shall specify the requirements for the care, preservation, pruning, planting, replanting and removal or disposition of trees in parks, along streets and on other public sites and shall specify the species of trees to be planted in these areas. The Master Tree Plan shall be updated and presented to Council **every three years** ~~annually~~ and upon their acceptance and approval shall constitute the official comprehensive

Master Tree Plan for the City. From and after the effective date of the Master Tree Plan, or any amendment thereof, all planting, **removal and maintenance shall** conform thereto.

(a) The Commission shall have the responsibility of inventory (and classifying as to location, species, size, condition and evaluation) for the existing public trees, as an integral part of the Master Tree Plan. This inventory shall be updated **bi-annually**.

(b) The Commission shall consider all existing and proposed buildings, utilities and environmental factors **including climate change and pests** when recommending the planting of a specific species or other work for all streets and public sites within the City.

(c) The Commission shall have the authority to amend or add to the Master Tree Plan at any time that circumstances make it advisable.

943.09 TREE SPECIES TO BE PLANTED.

The Tree Commission shall develop and maintain a list of desirable large, medium and small trees for planting in parks, along streets and on other public sites based on mature height, **soil condition, surrounding conditions, and species suitability. The largest tree that is suitable for each site shall be the default choice.** Lists of trees not suitable for planting in these areas shall also be created by the Commission.

943.10 SPACING.

The spacing of trees planted along streets shall be in accordance **with the criteria listed in Section 943.09** ~~with the three species size classes listed in Section 943.09.~~ No trees may be planted closer together than the following: large trees, forty feet; medium trees, thirty feet; and small trees, twenty feet; except in special plantings designed or approved by the Tree Commission.

943.11 DISTANCE FROM CURB AND SIDEWALK.

The distance trees may be planted from curbs or curblines and sidewalks shall be in accordance with the three species size classes listed in Section 943.09. No trees may be planted closer to any curb, curblines or sidewalk than **a distance that will allow a healthy root system without posing risk of damage to curb or sidewalk.** ~~the following: large trees, four feet; medium trees, three feet; and small trees, two feet.~~

943.12 DISTANCE FROM STREET CORNERS AND FIRE HYDRANTS.

No tree shall be planted closer than **twenty-five** ~~thirty-five~~ feet from any street corner, measured from the point of nearest intersecting curbs or curblines. No tree shall be planted closer than ten feet from any fire hydrant.

943.13 UTILITIES.

No public tree other than those species referred to as small trees in Section 943.09 may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line or other utility.

943.14 PUBLIC TREE CARE.

The City shall have the right to plant, prune, maintain and remove all public trees as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of public sites. The Tree Commission may remove or cause to be removed, any public tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious disease, insect or fungus.

This section does not prohibit the planting of a tree along streets by property owners providing that the selection of such tree is in accordance with Sections 943.09 through 943.13. No property owner shall plant a tree within the right of way without first obtaining the written approval of the Commission **or the city arborist.**

943.15 REMOVAL, REPLANTING AND REPLACEMENT OF PUBLIC TREES.

Whenever it is necessary to remove a public tree in connection with the paving of a sidewalk or the widening of a portion of a street or highway, the City shall ~~cause to replant the tree,~~ **cause it to be replanted,** or replace it with a species **described** listed in Section 943.08 and 943.09. This requirement shall be satisfied if an equivalent number of trees **of the largest possible mature size** is planted at the nearest appropriate location as determined by the Tree Commission **or the city arborist.**

No person shall remove a public tree for the purpose of construction or any other reason, without the written permission of the Commission. The Commission may require replacement of a removed tree as a condition to the Commission's approval. Such replacement shall be in accordance with the species criteria listed in Section 943.08 and 943.09. The person or property owner shall bear the cost of removal and replacement of all public trees removed.

943.16 MITIGATION OF FOREST CANOPY LOSS AND MAINTENANCE OF CANOPY COVER/TOPPING OF PUBLIC TREES.

In the event that a person or entity removes a tree for any reason other than the tree having posed a hazard or having fallen, that person or entity shall compensate for the loss of canopy in one of the following ways:

- (a.) by planting a tree with a mature DBH equivalent to the DBH of the removed tree, or trees equivalent to that number, on private property in the city; or
- (b.) by depositing into the Tree Canopy Fund an amount that represents the city's cost to obtain and plant trees to replace the removed tree on the same site or elsewhere in the city at the 3x mature DBH rate.

It shall be unlawful as a normal practice for any person, firm or City department to top any public tree. "Topping" means the severe cutting back of limbs to stubs larger than three inches in diameter so as to remove the normal canopy and disfigure the tree. Public trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this section at the determination of the Tree Commission.

943.17 OBSTRUCTION; TREES PRUNED. (REPEALED)

(EDITOR'S NOTE: Section 943.17 was repealed by Ordinance 42-99, passed June 28, 1999.)

943.18 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY. (REPEALED)

(EDITOR'S NOTE: Section 943.18 was repealed by Ordinance 42-99, passed June 28, 1999.)

943.19 ABUSE AND/OR MUTILATION OF PUBLIC TREES.

No person shall intentionally damage, cut, carve, transplant or remove any public tree. Unless specifically authorized by the Tree Commission, no person shall intentionally damage, cut, carve, transplant or remove any public tree; attach any rope, wire, nails, advertising posters or other contrivance to any public tree, allow any gaseous liquid or solid substance which is harmful to such trees to come in contact with them; or set fire or permit any fire to burn when such fire or heat therefrom will injure any portion of any public tree. No person shall pour salt water or a chemical or chemicals upon any street in such a way as to injure any tree planted or growing thereon. No person shall pile mulch or soil, or allow mulch or soil to be piled, around a public tree in a way that allows the mulch or soil to contact the base or trunk of the tree. Mulch or additional soil must be kept at least three inches away from the base of the tree. The City shall not be restricted in the use of anti-icing materials.

943.20 PLACING MATERIALS ON PUBLIC PROPERTY.

No person shall deposit, place, store or maintain upon any public place or the City, any stone, brick, sand, concrete or other materials which may impede the free passage of water, air and fertilizer to the roots of any public tree growing therein, except by written approval of the Tree Commission.

943.21 PROTECTION OF PUBLIC TREES.

All public trees located near any excavation or construction of any building, structure or street work, shall be guarded with a good substantial fence, frame or box not less than four feet high placed at the ~~dripline~~ **the edge of the Critical Root Zone, measured as a distance of one foot per inch of DBH of the tree or beyond the dripline, whichever is larger.** All laborers, building material, dirt or other debris shall be kept outside this barrier. The Tree Commission may permit a variance in cases where the barrier would impede the flow of traffic on a street, private street or driveway and where the ~~dripline overhangs~~ **prescribed distance interferes with** a building or permanent structure.

No person shall excavate any ditches or trenches within the **Critical Root Zone** ~~dripline~~ of a public tree or lay any **impervious pavement** ~~drive~~ within fifteen feet of a public tree without first obtaining the written approval of the Tree Commission.

943.22 PUBLIC UTILITY COMPANIES.

Public utility companies shall notify the Tree Commission prior to pruning any public tree for the purpose of maintaining safe line clearance and shall carry out all such work in accordance with accepted arboricultural standards. If accepted arboricultural standards are not followed, the Commission shall immediately file a formal complaint with the Public Utilities Commission.

943.23 EMERGENCIES.

In the case of officially declared emergencies, such as windstorms, ice storms or other disasters, the requirements shall be waived so that the requirements of this chapter would in no way hinder public and/or private work to restore order in the City. This work shall follow maintenance standards as outlined by the Tree Commission.

943.24 INTERFERENCE WITH TREE COMMISSION.

No person shall hinder, prevent, delay or interfere with the Tree Commission, or any of its agents, while engaged in carrying out the execution or enforcement of this chapter on public or private property; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the Municipality.

943.25 REGISTRATION OF TREE EXPERTS. (REPEALED)

(EDITOR'S NOTE: Section 943.25 was repealed by Ordinance 42-99, passed June 28, 1999.)

943.26 COMMISSION AS TRUSTEE.

The Tree Commission may act as trustee for any property, assets or funds donated to the Municipality for the care and maintenance of public trees, provided the donor designates or provides for the designation of the Commission as such trustee. In such an event, the Commission shall have all those powers and duties necessary to carry out the purpose of the trust.

943.27 ESTABLISHMENT OF FUND. (REPEALED)

There shall be established a Tree Canopy Fund for the purpose of receiving any property, assets or funds designated for the planting, care and maintenance of trees, as mitigation fees related to the removal of trees, or that shall be collected as tree assessments. Funds are to be used to support the Service Department's tree work and the services of the City Forester and/or City Arborist; and for assisting private property owners with costs associated with leveling or replacing sidewalk blocks impacted by the roots of public trees. The Tree Commission shall review and approve or deny requests for assistance, and shall approve any transfers to the city's general fund. Requests for sidewalk repair assistance in amounts over \$2,000 shall also require approval by City Council. Expenditures from the Tree Canopy Fund may only be made to the extent that there are funds available.

943.28 REVIEW BY COUNCIL.

Council shall have the right to review the conduct, acts and decisions of the Tree Commission.

943.29 APPEAL PROCEDURE.

Any adjustment of the standards required by this chapter or an appeal of a decision of the Tree Commission shall be taken to Council. Council upon receipt of a written request, shall have the authority and duty to consider and act upon the request. This application shall clearly and in detail state what adjustments or requirements are being sought, reasons such adjustments or requirements are being sought, reasons such adjustments are warranted and shall be accompanied with such supplementary data as is deemed necessary to substantiate the adjustment. Council may approve, modify or deny the requested adjustment, based upon the possible unreasonable hardships involved in the case.

Council shall act on the application as expeditiously as possible and shall notify the applicant in writing within five **business** days of the action taken.

943.30 CONFLICT.

In the event of a conflict between any provisions of this chapter, including any rules and regulations adopted pursuant to its provisions and any provisions of any other ordinances of the City including any rules and regulations adopted pursuant to such ordinances, the more restrictive provision or provisions shall prevail.

943.99 PENALTY.

Any person or firm violating any provision of this chapter or who fails to comply with any notice issued pursuant to the provisions of this chapter shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each separate offense; each day during which any violation of the provisions of this chapter occurs or continues shall be a separate offense. If, as the result of the violation of any provision of this chapter, the injury, mutilation or death of a tree is caused, the cost of repair or replacement of such tree shall be borne by the party in violation. The replacement value of trees shall be determined in accordance with the latest revision of "Valuation of Landscape Trees, Shrubs and Other Plants", as published by the International Society of Arboriculture.

Section 2: That 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 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 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 _____, 2015

David B. Miller, President of Council

Attest:

Approve:

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.: 46-15
INTRODUCED BY: Miller
REQUESTED BY: Icove

December 14, 2015
Second Reading: December 28, 2015

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 3, 2015; and

WHEREAS, said amendment states the appointment of the Director of Law shall be for a term concurrent with that for which the Mayor is elected for the full term beginning January 1, 2016. The newly elected (or re-elected) Mayor shall nominate a Law Director by January 1 of the full term commencing and Council shall confirm or reject the Mayor's appointment no later than January 31st of the year of the appointment. Failure of Council to confirm or reject the appointee by January 31st of the appointment year shall result in automatic confirmation of the Mayor's appointee; 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 must be acted on by January 31, 2016 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 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 _____, 2015.

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: 54-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

December 28, 2015

A RESOLUTION

EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2015.

WHEREAS, during the year 2015, 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, during the year 2015, 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 _____, 2015.

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

EXHIBIT "A"

FEBRUARY 23, 2015	DAVID MILLER
MARCH 9, 2015	RUTH GRAY
APRIL 27, 2015	MOE ROMEO
MAY 26, 2015	JANE GOODMAN
JUNE 22, 2015	DAVID MILLER
SEPTEMBER 16, 2015	JANE GOODMAN
SEPTEMBER 30, 2015	RUTH GRAY
NOVEMBER 23, 2015	DENNIS FIORELLI

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 55-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

December 28, 2015

A RESOLUTION

SETTING THE DATE FOR THE FIRST REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2016.

WHEREAS, Section 4 of Article II of the Charter of the City of South Euclid, Ohio directs the Council of the City to prescribe by Ordinance the number of regular meetings of Council per month as well as the time and place of such meetings; and

WHEREAS, Section 111.01 of the Codified Ordinances of the City of South Euclid states that regular meetings of Council shall take place on the second and fourth Monday of each month at 8:00 p.m. in the Council Chambers of the City Hall.

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

Section 1: That the date for the first regularly scheduled City Council meeting for the year of 2016, for the City of South Euclid, Ohio, shall be as follows:

Monday, January 11, 2016

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 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 _____, 2015.

David B. Miller, President of Council

Attest:

Approved:

Keith Ari Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 30-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

December 28, 2015

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.

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 ~~2015~~ **2016** 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 swimming pass shall be issued to an individual who is disabled. “Disabled” shall be defined in accordance with the Federal Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.). A complimentary entry will be issued to the caregiver accompanying a disabled passholder. The caregiver must be 18 years of age or older.

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.

Continued...

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 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.

- (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.

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.

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.

Continued...

- (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.
- (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 residents of Richmond Heights, upon presenting proper identification, per Section 1 (a & b). 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 and Lyndhurst 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 Richmond Heights, 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.

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 _____, 2016.

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.: ORD 31-15
 INTRODUCED BY: Miller
 REQUESTED BY: Mayor

December 28, 2015

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, 2015; 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, 2015, the sums as herein set forth be and the same are hereby made. Said sums to be used to implement this 2015 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	\$3,938,874	
Other Charges	<u>246,347</u>	
Total Police Department		\$4,185,221

POLICE - ADMINISTRATIVE - 1111

Personal Services	<u>\$107,354</u>	
Other Charges	<u>1,000</u>	
Total Police Department-Administrative		\$108,354

POLICE - SCHOOL GUARDS - 1112

Personal Services	\$53,758	
Other Charges	<u>1,000</u>	
Total Police Department-School Guards		\$54,758

POLICE - CORRECTIONS - 1113

Personal Services	\$0	
Other Charges	<u>1,000</u>	
Total Police Department-Corrections		\$1,000

FIRE DEPARTMENT - 1120

Personal Services	\$3,242,036	
Other Charges	<u>171,535</u>	
Total Fire Department		\$3,413,571

FIRE HYDRANTS - 1122

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

DISPATCHERS - 1130

Personal Services	\$454,417	
Other Charges	<u>50,400</u>	
Total Dispatchers		\$504,817

TOTAL PROGRAM I

\$8,299,221

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210

Other Charges	<u>\$166,000</u>	
Total Public Health & Welfare		\$166,000

TOTAL PROGRAM II

\$166,000

PROGRAM III - Leisure Time Activities

RECREATION - 3310

Personal Services	<u>\$72,480</u>	
Other Charges	<u>9,085</u>	
Total Recreation		\$81,565

COMMUNITY CENTER - 3350

Personal Services	<u>\$150,727</u>	
Other Charges	<u>54,625</u>	
Total Community Center		\$205,352

TOTAL PROGRAM III

\$286,917

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

Personal Services	\$778,027	
Other Charges	<u>46,550</u>	
Total Building Department		\$824,577

ECONOMIC DEVELOPMENT - 4430

Personal Services	\$75,365	
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Other Charges	45,650	
Total Economic Development		\$121,015
<u>COMMUNITY RELATIONS - 4440</u>		
Personal Services	\$75,449	
Other Charges	38,900	
Total Community Relations		\$114,349
<u>CITY BOARDS & COMMISSIONS - 4450</u>		
Personal Services	\$35,149	
Other Charges	1,650	
Total Boards & Commissions		\$36,799
<u>YOUTH INITIATIVE - 4460</u>		
Personal Services	\$17,693	
Other Charges	16,100	
Total Youth Initiative		\$33,793
TOTAL PROGRAM IV		\$1,130,533
<u>PROGRAM V - Basic Utility Service</u>		
<u>REFUSE COLLECTION & DISPOSAL - 5510</u>		
Other Charges	\$1,200,000	
Total Refuse Collection & Disposal		\$1,200,000
<u>CURBSIDE RECYCLING - 5520</u>		
Personal Services	\$80,968	
Other Charges	8,200	
Total Curbside Recycling		\$89,168
TOTAL PROGRAM V		\$1,289,168
<u>PROGRAM VI - Transportation</u>		
<u>SERVICE DEPARTMENT - 6610</u>		
Personal Services	\$523,636	
Other Charges	133,450	
Total Service Department		\$657,086
<u>GARAGE - 6620</u>		
Personal Services	\$190,263	
Other Charges	197,500	
Total Garage		\$387,763
TOTAL PROGRAM VI		\$1,044,849
<u>PROGRAM VII - General Government</u>		
<u>MAYOR'S OFFICE - 7710</u>		
Personal Services	\$184,667	
Other Charges	17,110	
Total Mayor's Office		\$201,777
<u>LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720</u>		
Personal Services	\$98,338	
Other Charges	19,450	
Total Legislative Activities (City Council)		\$117,788
<u>FINANCE ADMINISTRATION - 7730</u>		
Personal Services	\$271,480	
Other Charges	37,550	
Total Finance Administration		\$309,030
<u>INCOME TAX ADMINISTRATION (RITA) - 7731</u>		
Personal Services	\$0	
Other Charges	358,000	
Total Income Tax Administration		\$358,000
<u>LEGAL ADMINISTRATION - 7740</u>		
Personal Services	\$179,223	
Other Charges	259,225	
Total Legal Administration		\$438,448
<u>JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750</u>		
Personal Services	\$614,908	
Other Charges	59,300	
Total Judicial Activities (Municipal Court)		\$674,208
<u>CIVIL SERVICE COMMISSION - 7760</u>		
Personal Services	\$7,785	
Other Charges	34,150	

Total Civil Service Commission		\$41,935	
<u>ENGINEERING - 7770</u>			
Personal Services	\$18,942		
Other Charges	<u>4,200</u>		
Total Engineering		\$23,142	
<u>MUNICIPAL COMPLEX - 7780</u>			
Personal Services	\$0		
Other Charges	<u>417,400</u>		
Total Municipal Complex		\$417,400	
<u>GENERAL SERVICES - 7790</u>			
Personal Services	\$44,772		
Other Charges	<u>454,896</u>		
Total General Services		\$499,668	
<u>INSURANCE - 7791</u>			
Personal Services	\$0		
Other Charges	<u>225,000</u>		
Total Insurance		\$225,000	
<u>TRANSFERS/ADVANCES OUT - 9910/9920</u>			
Other Charges	\$933,000		
		\$933,000	
TOTAL PROGRAM VII			\$4,239,396
TOTAL GENERAL FUND			\$16,456,083
 <u>Section 3: That there be appropriated from the Special Revenue Funds:</u>			
<u>OPERATION HOME IMPROVEMENT (FUND 103/104)</u>			
Other Charges	\$110,198		
Total		\$110,198	110,198
<u>COPS GRANT (FUND 106)</u>			
Personal Services	\$0		
Other Charges	<u>19,545</u>		
Total		\$19,545	
<u>COMMUNITY DIVERSION PROGRAM (FUND 107)</u>			
Personal Services	\$10,750		
Other Charges	<u>12,800</u>		
Total		\$23,550	43,095
<u>STREET CONSTRUCTION & MAINTENANCE (FUND 202)</u>			
Personal Services	\$597,306		
Other Charges	<u>219,750</u>		
Total		\$817,056	817,056
<u>STATE HIGHWAY IMPROVEMENT (FUND 203)</u>			
Personal Services	\$0		
Other Charges	<u>55,000</u>		
Total		\$55,000	55,000
<u>PARKING LOTS & PARKING METERS (FUND 205)</u>			
Personal Services	\$0		
Other Charges	<u>5,155</u>		
Total		\$5,155	5,155
<u>SWIMMING POOLS (FUND 206)</u>			
Personal Services	\$150,925		
Other Charges	<u>82,650</u>		
Total		\$233,575	233,575
<u>PERMISSIVE MOTOR VEHICLE TAX (FUND 207)</u>			
Other Charges	\$190,000		
Total		\$190,000	190,000
<u>HUD GRANT - NSP 3 (FUND 215)</u>			
Other Charges	\$0		
Total		\$0	
<u>POLICE RANGE (FUND 220)</u>			
Other Charges	\$44,000		
Total		\$44,000	
<u>LAW ENFORCEMENT TRUST (FUND 221)</u>			

Other Charges	<u>\$100,000</u>		
Total		\$100,000	144,000
<u>FEMA FIREFIGHTERS GRANT (FUND 222)</u>			
Other Charges	<u>\$26,143</u>		
Total		\$26,143	
<u>SAFETY FORCES LEVY (FUND 410)</u>			
Personal Services	\$1,259,010		
Other Charges	<u>20000</u>		
Total		\$1,279,010	
<u>STREET LIGHTING (FUND 511)</u>			
Other Charges	<u>\$485,000</u>		
Total		\$485,000	1,790,153
<u>SEWER MAINTENANCE (516)</u>			
Personal Services	\$409,949		
Other Charges	<u>29,430</u>		
Total		\$439,379	439,379
<u>SEWER REHABILITATION (517)</u>			
Other Charges	<u>\$400</u>		
Total		\$400	
<u>POLICE PENSION (FUND 614)</u>			
Other Charges	<u>\$104,000</u>		
Total		\$104,000	
<u>FIRE PENSION (FUND 615)</u>			
Other Charges	<u>\$104,000</u>		
Total		\$104,000	
<u>SICK LEAVE BENEFIT (FUND 926)</u>			
Other Charges	<u>\$5,000</u>		
Total		\$5,000	\$213,400
TOTAL SPECIAL REVENUE FUNDS:			\$4,041,012
<u>Section 4: That there be appropriated from the Bond Retirement Funds:</u>			
<u>GENERAL BOND RETIREMENT (FUND 327)</u>			
Other Charges	<u>\$77,206</u>		
Total		\$77,206	\$77,206
<u>RECREATION BOND RETIREMENT (FUND 328)</u>			
Other Charges	<u>\$0</u>		
Total		\$0	\$0
<u>SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)</u>			
Other Charges	<u>\$0</u>		
Total		\$0	\$0
TOTAL BOND RETIREMENT FUNDS:			\$77,206
<u>Section 5: That there be appropriated from the Capital Project Funds:</u>			
CAPITAL PROJECT FUNDS			
<u>GENERAL IMPROVEMENT & REPAIR (FUND 408)</u>			
Other Charges	<u>\$655,752</u>		
Total		\$655,752	655,752
<u>SAFETY FORCES VEHICLES (FUND 409)</u>			
Other Charges	<u>\$395,000</u>		
Total		\$395,000	\$395,000
<u>POLICE VEHICLES & EQUIPMENT (FUND 411)</u>			
Other Charges	<u>\$0</u>		
Total		\$0	
<u>RECREATION CONTINGENCY (FUND 418)</u>			
Other Charges	<u>\$0</u>		
Total		\$0	0
<u>WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)</u>			
Other Charges	<u>\$1,616,880</u>		
Total		\$1,616,880	1,616,880

ROAD RESURFACING (FUND 425)

Other Charges	<u>\$1,112,420</u>		
Total		\$1,112,420	1,112,420

FLOOD CONTROL (FUND 426)

Other Charges	<u>\$1,980,836</u>		
Total		\$1,980,836	1,980,836

SIDEWALK IMPROVEMENT PROGRAM (FUND 427)

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

STAN HOPE PARKING LOT (FUND 430)

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

ISSUE II PROJECTS (FUND 431)

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

LAND ACQUISITION (FUND 440)

Other Charges	<u>\$1,353,492</u>		
Total		\$1,353,492	1,356,345

TOTAL CAPITAL PROJECT FUNDS:			\$7,117,239
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TRUST & AGENCY (FUND 917)

Other Charges	<u>\$2,212,500</u>		
Total		\$2,212,500	

TOTAL TRUST & AGENCY FUND:			\$2,212,500
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GRAND TOTAL			<u>\$29,904,041</u>
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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 2013 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2015.

David Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael Lograsso, Director of Law

First Reading:	<u>12/28/2015</u>
Second Reading:	_____
Third Reading:	_____
Requested Deadline for Council Passage:	<u>12/28/2015</u>

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 56-15 December 28, 2015
INTRODUCED BY: Miller
REQUESTED BY: Fiorelli, Gelfand, Goodman, Gray, Icove & Romeo

A RESOLUTION

IN APPRECIATION TO DR. DAVID B. MILLER FOR HIS YEARS OF DILIGENT SERVICE ON SOUTH EUCLID'S CITY COUNCIL AND TO THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, Dr. David B. Miller has been a long-time resident of South Euclid; and

WHEREAS, Dr. Miller was appointed and sworn-in as a member of South Euclid City Council in October 2005; and

WHEREAS, Dr. Miller was elected to his first full term as Councilman-at-Large on November 6, 2007; and

WHEREAS, his colleagues recognized Dr. Miller's leadership abilities by electing him Council President Pro-Tem on January 4, 2008, a position he held from 2008-2009; and

WHEREAS, in honor of his service to City Council, Dr. Miller's colleagues elected him President of Council on January 4, 2010, a position he has held from 2010 to the present; and

WHEREAS, Dr. Miller won re-election to a second full term as a Councilman-at-Large on November 8, 2011; and

WHEREAS, during his tenure on City Council, Dr. Miller has been instrumental in the advancement of South Euclid, serving as a visionary leader to ensure South Euclid remains a premier community; and

WHEREAS, Dr. Miller has been deeply involved in the community through youth sports, serving on the Board of Trustees of University Suburban Health Center, and through volunteering in the South Euclid Lyndhurst Schools; and

WHEREAS, Dr. Miller created Community Clean-Up Day, now held annually each May, to help bring the community together and create a stronger city; and

WHEREAS, upon his retirement on December 31, 2015, Dr. Miller will have served admirably for over nine years on South Euclid City Council.

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 Dr. David B. Miller for his service on City Council, and his dedication, interest and devotion to the community which has made South Euclid a better place to live and work.

Section 2: That the Clerk be and is hereby directed to furnish an executed copy of this Resolution to Dr. David B. Miller.

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: That this Resolution shall take effect and be in force from and after the earliest period permitted by law and upon signature of the Mayor.

Passed this _____ day of _____, 2015.

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