

# THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

February 22, 2016  
8:00 PM

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1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: February 8, 2016

4. OPEN MEETING

5. REPORT OF COMMITTEES

6. LEGISLATION FROM THE PLANNING COMMISSION

1. ORDINANCE 27-15 AMENDING THE ZONING MAP OF THE CITY OF SOUTH EUCLID, OHIO, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PERMANENT PARCEL NUMBERS FROM ITS EXISTING CLASS R-50 "ONE AND TWO FAMILY DISTRICT" TO M-F "MULTIPLE FAMILY DISTRICT." **TO BE PLACED ON SECOND READING FOR REFERRAL TO THE ZONING & PLANNING COMMITTEE FOR A PUBLIC HEARING.**

7. MAYOR'S REPORT

8. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 04-16 AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID. FIRST READING.
2. RESOLUTION 05-16 AUTHORIZING THE MAYOR TO PREPARE THE NECESSARY SPECIFICATIONS, ADVERTISE FOR BIDS, AND ENTER INTO SUBSEQUENT CONTRACTS FOR REPAIR OF THE ELEVATOR LOCATED AT THE CITY OF SOUTH EUCLID MUNICIPAL COMPLEX. FIRST READING.
3. ORDINANCE 01-16 APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY. **SECOND READING.**
4. ORDINANCE 02-16 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, 2016; AND DECLARING AN EMERGENCY. FIRST READING.

5. ORDINANCE 03-16 TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,600,000 FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, AND ANY NECESSARY CLEARANCE AND PREPARATION OF REAL PROPERTY FOR URBAN REDEVELOPMENT, PAYING COSTS OF ISSUANCE; AND DECLARING AN EMERGENCY. FIRST READING.

**9. LAW DIRECTOR'S REPORT**

**10. LETTERS AND COMMUNICATIONS**

**11. ADJOURN**

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 27-15  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

November 23, 2015  
Second Reading: February 22, 2016

AN ORDINANCE

AMENDING THE ZONING MAP OF THE CITY OF SOUTH EUCLID, OHIO, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PERMANENT PARCEL NUMBERS FROM ITS EXISTING CLASS R-50 "ONE AND TWO FAMILY DISTRICT" TO M-F "MULTIPLE FAMILY DISTRICT."

WHEREAS, The South Euclid Lyndhurst City Schools has initiated a request through their agent NRP Properties, LLC to rezone the former "Lowden School" property, located at 4106 Lowden Road and described in detail below, from its existing Class R-50 "One and Two Family District" to a M-F "Multiple-Family District"; and

WHEREAS, the owner of the property, the South Euclid Lyndhurst City Schools, has submitted a form authorizing NRP Properties, LLC to act on its behalf; and

WHEREAS, NRP Properties, LLC is requesting the property be rezoned so that the company may purchase the property and develop independent senior housing; and

WHEREAS, this legislation shall be referred to the Planning Commission for discussion and consideration.

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

Section 1: That the piece of property owned by the South Euclid Lyndhurst City Schools located at 4106 Lowden Road and known as permanent parcel nos. 701-12-043, 701-13-080, 701-13-081, and 701-13-082 is currently zoned R-50 "One and Two Family District", and shall be rezoned to M-F "Multiple Family District."

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015 2016.

\_\_\_\_\_  
Jane Goodman, 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.: 04-16  
INTRODUCED BY: Goodman  
REQUESTED BY: Mayor

February 22, 2016

A RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID.

WHEREAS, the City of South Euclid is the owner of certain parcels of vacant and improved land, as defined in Exhibit A attached hereto; and

WHEREAS, the subject parcels were deeded to the City of South Euclid through the Cuyahoga County tax foreclosure process, or from the Cuyahoga Land Bank; and

WHEREAS, the Council of the City of South Euclid has, upon study and consideration, determined that said parcels do not serve and are not needed for any municipal purpose; and

WHEREAS, in accordance with the agreement for professional services, the City's Community Development Corporation, One South Euclid, has the ability to dispose of the subject parcels and return the land to productive use.

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

Section 1: That the Council has determined the subject parcels do not serve any municipal purpose.

Section 2: That the Mayor be and she is hereby authorized to convey said parcels of real property (as shown in Exhibit A, attached hereto) to the City's Community Development Corporation, One South Euclid, in order to dispose of the property and return the land to productive use.

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: 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jane Goodman, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law

**EXHIBIT A:**

Properties Containing Structures (Homes) to be conveyed to One South Euclid:

| <b>PP#</b> | <b>Address</b> | <b>Street Name</b> |
|------------|----------------|--------------------|
| 702-13-029 | 1380           | Villa Drive        |

Vacant Lots to be conveyed to One South Euclid:

| <b>PP#</b> | <b>Address</b> | <b>Street Name</b>  |
|------------|----------------|---------------------|
| 702-09-073 | 1082           | South Belvoir Blvd. |

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 05-16  
INTRODUCED BY: Goodman  
REQUESTED BY: Mayor

February 22, 2016

A RESOLUTION

AUTHORIZING THE MAYOR TO PREPARE THE NECESSARY SPECIFICATIONS, ADVERTISE FOR BIDS, AND ENTER INTO SUBSEQUENT CONTRACTS FOR REPAIR OF THE ELEVATOR LOCATED AT THE CITY OF SOUTH EUCLID MUNICIPAL COMPLEX.

WHEREAS, the South Euclid Municipal Complex contains an elevator which must be maintained in proper working condition to allow for orderly work flow, ensure all visitors access to the building, and maintain compliance with all provisions of the Americans With Disabilities (ADA) Act; and

WHEREAS, a competitive bidding process is being utilized to select contractors to perform work to repair the elevator and ensure it is in proper working condition.

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

Section 1: That the Mayor is hereby authorized to prepare the specifications, advertise for bids, and enter into subsequent agreements with contractors to repair the elevator located within the City of South Euclid Municipal Complex.

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 28, 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: 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jane Goodman, 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.: 01-16  
INTRODUCED BY: Goodman  
REQUESTED BY: Mayor

February 8, 2016  
Second Reading: February 22, 2016

AN ORDINANCE

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances and have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law, now therefore:

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

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City so as to conform to the classification and numbering system of the Codified Ordinances:

| <u>Ord. No.</u> | <u>Date</u> | <u>C.O. Section</u>      |
|-----------------|-------------|--------------------------|
| 17-12           | 5-11-15     | 710.08                   |
| 18-12           | 5-11-15     | 721.03                   |
| 13-14           | 6-22-15     | 722.05                   |
| 14-14           | 6-22-15     | 505.17                   |
| 18-14           | 2-9-15      | 521.18                   |
| 21-14           | 4-13-15     | 933.07                   |
| 01-15           | 2-9-15      | 1405.29                  |
| 03-15           | 3-9-15      | 521.11                   |
| 07-15           | 9-30-15     | 1408.01 to 1408.18       |
| 09-15           | 7-13-15     | 131.08                   |
| 19-15           | 11-9-15     | 505.14                   |
| 21-15           | 10-26-15    | 172.01 to 172.26, 172.99 |
| 25-15           | 11-9-15     | 505.01                   |

Section 2. That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

331.26, 333.01, 335.01, 335.035, 335.09, 335.20, 339.11, 341.01, 341.03, 341.04, 341.05, 341.07, 373.02, 501.06, 501.07, 501.08, 501.13, 501.99, 513.01, 525.02, 525.12, 529.07, 537.09, 549.01, 549.22, 1540.04, 1540.06

Section 3. That pursuant to Article II, Section 5(d), of the City Charter, Ohio R.C. 731.23 and Section 113.05 of the Codified Ordinances, the Clerk of Council shall publish the number, title and date of passage of this ordinance, twice on the same day of two successive weeks in a newspaper of general circulation within the City, and, further, shall post a certified copy of this ordinance, together with such summary, for at least fifteen days in a public place in the City Hall.

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 Ohio R.C. Section 121.22.

Section 5. That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for the further reason that it will update the codification of the legislation of the City, consistent with the City Charter and with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City, enforce law and order and avoid practical and legal entanglements. Wherefore, this Ordinance and the 2015 Replacement Pages for the Codified Ordinances hereby approved, adopted and enacted, 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jane Goodman, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law

EXHIBIT A

SUMMARY OF NEW MATTER  
CONTAINED IN THE 2014 REPLACEMENT PAGES  
FOR THE  
CODIFIED ORDINANCES OF SOUTH EUCLID, OHIO

New matter in the 2014 Replacement Pages for the Codified Ordinances of South Euclid, Ohio, includes legislation regarding:

| <u>Section</u> | <u>New or amended matter regarding:</u>   |
|----------------|---|
| 301.04         | Definition of "bicycle; motorized bicycle or moped."  |
| 301.063        | Definition of "chauffeured limousine."  |
| 301.163        | Definition of "highway maintenance vehicle."  |
| 301.19         | Definition of "motorcycle."   |
| 301.255        | Definition of "predicate motor vehicle or traffic offense."   |
| 303.04         | Road workers, motor vehicles and equipment excepted.  |
| 331.215        | Driving while approaching stationary public safety vehicle with flashing lights.  |
| 333.03         | Maximum speed limits; assured clear distance ahead.   |
| 335.07         | Driving under suspension or in violation of license restriction.  |
| 335.073        | Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension. |
| 337.16         | Number of lights, limitations on flashing, oscillating or rotating lights.  |
| 337.17         | Focus and aim of headlights.  |
| 337.31         | Air bags.   |
| 339.12         | Chauffeured limousines.   |
| 501.01         | Definitions relating to general offenses.   |
| 501.06         | Limitation on criminal prosecutions.  |
| 501.13         | Disposition of unclaimed or forfeited property held by Police Department.   |
| 501.99         | Penalties for misdemeanor.  |
| 513.01         | Definitions relating to drugs.  |
| 513.16         | Pseudoephedrine sales.  |
| 525.02         | Falsification.  |
| 525.05         | Failure to report a crime or knowledge of death.  |
| 525.18         | Misuse of 9-1-1 system.   |
| 529.01         | Definitions related to alcoholic beverages.   |
| 529.07         | Open container prohibited.  |
| 529.12         | Conveying intoxicating liquor or cash onto grounds of detention facilities or other specified governmental facilities.    |
| 533.09         | Soliciting.   |
| 533.20         | Unlawful advertising of massage.  |
| 537.05         | Aggravated menacing.  |
| 537.051        | Menacing by stalking.   |
| 537.06         | Menacing  |
| 537.09         | Criminal child enticement.  |
| 545.01         | Definitions relating to property offenses.  |
| 545.02         | Determining property value in theft offense.  |
| 545.05         | Petty theft.  |
| 545.15         | Securing writings by deception.   |
| 545.24         | Medicaid fraud.   |
| 1530.01        | Definitions relating to open burning.   |
| 1530.03        | Open burning in restricted areas.   |

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 02-16  
 INTRODUCED BY: Goodman  
 REQUESTED BY: Mayer

{February 22, 2016}

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, 2016; 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, 2016, the sums as herein set forth be and the same are hereby made. Said sums to be used to implement this 2016 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       | \$4,023,887    |             |
| Other Charges           | <u>190,650</u> |             |
| Total Police Department |                | \$4,214,537 |

POLICE - ADMINISTRATIVE - 1111

|  |              |           |
|--|--------------|-----------|
| Personal Services                      | \$111,156    |           |
| Other Charges                          | <u>1,000</u> |           |
| Total Police Department-Administrative |              | \$112,156 |

POLICE - SCHOOL GUARDS - 1112

|                                       |            |          |
|---------------------------------------|------------|----------|
| Personal Services                     | \$58,826   |          |
| Other Charges                         | <u>500</u> |          |
| Total Police Department-School Guards |            | \$59,326 |

POLICE - CORRECTIONS - 1113

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

FIRE DEPARTMENT - 1120

|                       |                |             |
|-----------------------|----------------|-------------|
| Personal Services     | \$3,541,075    |             |
| Other Charges         | <u>165,606</u> |             |
| Total Fire Department |                | \$3,706,681 |

FIRE HYDRANTS - 1122

|                     |               |          |
|---------------------|---------------|----------|
| Other Charges       | <u>29,500</u> |          |
| Total Fire Hydrants |               | \$29,500 |

DISPATCHERS - 1130

|                   |               |           |
|-------------------|---------------|-----------|
| Personal Services | \$451,123     |           |
| Other Charges     | <u>18,400</u> |           |
| Total Dispatchers |               | \$469,523 |

**TOTAL PROGRAM I**

**\$8,591,723**

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210

|                               |                  |           |
|-------------------------------|------------------|-----------|
| Other Charges                 | <u>\$148,000</u> |           |
| Total Public Health & Welfare |                  | \$148,000 |

**TOTAL PROGRAM II**

**\$148,000**

PROGRAM III - Leisure Time Activities

RECREATION - 3310

|                   |              |          |
|-------------------|--------------|----------|
| Personal Services | \$75,897     |          |
| Other Charges     | <u>8,150</u> |          |
| Total Recreation  |              | \$84,047 |

COMMUNITY CENTER - 3350

|                        |               |           |
|------------------------|---------------|-----------|
| Personal Services      | \$154,710     |           |
| Other Charges          | <u>52,600</u> |           |
| Total Community Center |               | \$207,310 |

**TOTAL PROGRAM III**

**\$291,358**

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

|                           |               |           |
|---------------------------|---------------|-----------|
| Personal Services         | \$816,396     |           |
| Other Charges             | <u>44,900</u> |           |
| Total Building Department |               | \$861,296 |

ECONOMIC DEVELOPMENT - 4430

|                            |               |           |
|----------------------------|---------------|-----------|
| Personal Services          | \$77,131      |           |
| Other Charges              | <u>38,150</u> |           |
| Total Economic Development |               | \$115,281 |

COMMUNITY RELATIONS - 4440

|                           |               |           |
|---------------------------|---------------|-----------|
| Personal Services         | \$77,211      |           |
| Other Charges             | <u>32,100</u> |           |
| Total Community Relations |               | \$109,311 |

CITY BOARDS & COMMISSIONS - 4450

|                            |              |          |
|----------------------------|--------------|----------|
| Personal Services          | \$36,057     |          |
| Other Charges              | <u>1,450</u> |          |
| Total Boards & Commissions |              | \$37,507 |

YOUTH INITIATIVE - 4460

|                        |               |          |
|------------------------|---------------|----------|
| Personal Services      | \$16,513      |          |
| Other Charges          | <u>10,500</u> |          |
| Total Youth Initiative |               | \$27,013 |

**TOTAL PROGRAM IV**

\$1,150,408

PROGRAM V - Basic Utility Service

REFUSE COLLECTION & DISPOSAL - 5510

|                                    |                    |             |
|------------------------------------|--------------------|-------------|
| Other Charges                      | <u>\$1,280,607</u> |             |
| Total Refuse Collection & Disposal |                    | \$1,280,607 |

CURBSIDE RECYCLING - 5520

|                          |              |          |
|--------------------------|--------------|----------|
| Personal Services        | \$82,079     |          |
| Other Charges            | <u>8,200</u> |          |
| Total Curbside Recycling |              | \$90,279 |

**TOTAL PROGRAM V**

\$1,370,886

PROGRAM VI - Transportation

SERVICE DEPARTMENT - 6610

|                          |                |           |
|--------------------------|----------------|-----------|
| Personal Services        | \$530,508      |           |
| Other Charges            | <u>124,550</u> |           |
| Total Service Department |                | \$655,058 |

GARAGE - 6620

|                   |                |           |
|-------------------|----------------|-----------|
| Personal Services | \$194,505      |           |
| Other Charges     | <u>190,750</u> |           |
| Total Garage      |                | \$385,255 |

**TOTAL PROGRAM VI**

\$1,040,314

PROGRAM VII - General Government

MAYOR'S OFFICE - 7710

|                      |               |           |
|----------------------|---------------|-----------|
| Personal Services    | \$187,124     |           |
| Other Charges        | <u>15,834</u> |           |
| Total Mayor's Office |               | \$202,958 |

LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720

|   |              |           |
|---|--------------|-----------|
| Personal Services                           | \$98,260     |           |
| Other Charges                               | <u>9,000</u> |           |
| Total Legislative Activities (City Council) |              | \$107,260 |

FINANCE ADMINISTRATION - 7730

|                              |               |           |
|------------------------------|---------------|-----------|
| Personal Services            | \$252,275     |           |
| Other Charges                | <u>36,550</u> |           |
| Total Finance Administration |               | \$288,825 |

INCOME TAX ADMINISTRATION (RITA) - 7731

|                                 |                |           |
|---------------------------------|----------------|-----------|
| Personal Services               | \$0            |           |
| Other Charges                   | <u>372,000</u> |           |
| Total Income Tax Administration |                | \$372,000 |

LEGAL ADMINISTRATION - 7740

|                            |                |           |
|----------------------------|----------------|-----------|
| Personal Services          | \$189,080      |           |
| Other Charges              | <u>249,000</u> |           |
| Total Legal Administration |                | \$438,080 |

JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750

|   |               |           |
|---|---------------|-----------|
| Personal Services                           | \$575,559     |           |
| Other Charges                               | <u>64,300</u> |           |
| Total Judicial Activities (Municipal Court) |               | \$639,859 |

CIVIL SERVICE COMMISSION - 7760

|                                |              |         |
|--------------------------------|--------------|---------|
| Personal Services              | \$7,752      |         |
| Other Charges                  | <u>2,150</u> |         |
| Total Civil Service Commission |              | \$9,902 |

ENGINEERING - 7770

|                   |              |          |
|-------------------|--------------|----------|
| Personal Services | \$18,861     |          |
| Other Charges     | <u>4,200</u> |          |
| Total Engineering |              | \$23,061 |

MUNICIPAL COMPLEX - 7780

|                         |                |           |
|-------------------------|----------------|-----------|
| Personal Services       | \$30,337       |           |
| Other Charges           | <u>403,800</u> |           |
| Total Municipal Complex |                | \$434,137 |

GENERAL SERVICES - 7790

|                        |                |           |
|------------------------|----------------|-----------|
| Personal Services      | \$17,000       |           |
| Other Charges          | <u>409,176</u> |           |
| Total General Services |                | \$426,176 |

INSURANCE - 7791

|                   |                |           |
|-------------------|----------------|-----------|
| Personal Services | \$0            |           |
| Other Charges     | <u>242,000</u> |           |
| Total Insurance   |                | \$242,000 |

TRANSFERS/ADVANCES OUT -9210/9920

|               |                    |                    |
|---------------|--------------------|--------------------|
| Other Charges | <u>\$1,287,000</u> | <u>\$1,287,000</u> |
|---------------|--------------------|--------------------|

TOTAL PROGRAM VII

\$4,471,259

TOTAL GENERAL FUND

\$17,063,947

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

OPERATION HOME IMPROVEMENT (FUND 103/104)

|               |                 |          |        |
|---------------|-----------------|----------|--------|
| Other Charges | <u>\$41,000</u> |          |        |
| Total         |                 | \$41,000 | 41,000 |

COPS GRANT (FUND 106)

|                   |          |     |  |
|-------------------|----------|-----|--|
| Personal Services | \$0      |     |  |
| Other Charges     | <u>0</u> |     |  |
| Total             |          | \$0 |  |

COMMUNITY DIVERSION PROGRAM (FUND 107)

|                   |               |          |        |
|-------------------|---------------|----------|--------|
| Personal Services | \$11,610      |          |        |
| Other Charges     | <u>15,700</u> |          |        |
| Total             |               | \$27,310 | 27,310 |

STREET CONSTRUCTION & MAINTENANCE (FUND 202)

|                   |                |           |         |
|-------------------|----------------|-----------|---------|
| Personal Services | \$576,364      |           |         |
| Other Charges     | <u>195,750</u> |           |         |
| Total             |                | \$772,114 | 772,114 |

STATE HIGHWAY IMPROVEMENT (FUND 203)

|                   |               |          |        |
|-------------------|---------------|----------|--------|
| Personal Services | \$0           |          |        |
| Other Charges     | <u>60,000</u> |          |        |
| Total             |               | \$60,000 | 60,000 |

PARKING LOTS & PARKING METERS (FUND 205)

|                   |     |       |     |
|-------------------|-----|-------|-----|
| Personal Services | \$0 |       |     |
| Other Charges     | 903 |       |     |
| Total             |     | \$903 | 903 |

SWIMMING POOLS (FUND 206)

|                   |           |           |         |
|-------------------|-----------|-----------|---------|
| Personal Services | \$147,936 |           |         |
| Other Charges     | 77,750    |           |         |
| Total             |           | \$225,686 | 225,686 |

PERMISSIVE MOTOR VEHICLE TAX (FUND 207)

|               |           |           |         |
|---------------|-----------|-----------|---------|
| Other Charges | \$165,000 |           |         |
| Total         |           | \$165,000 | 165,000 |

HUD GRANT - NSP 3 (FUND 215)

|               |     |     |  |
|---------------|-----|-----|--|
| Other Charges | \$0 |     |  |
| Total         |     | \$0 |  |

POLICE RANGE (FUND 220)

|               |          |          |  |
|---------------|----------|----------|--|
| Other Charges | \$62,200 |          |  |
| Total         |          | \$62,200 |  |

LAW ENFORCEMENT TRUST (FUND 221)

|               |           |           |         |
|---------------|-----------|-----------|---------|
| Other Charges | \$110,000 |           |         |
| Total         |           | \$110,000 | 172,200 |

FEMA FIREFIGHTERS GRANT (FUND 222)

|               |       |       |  |
|---------------|-------|-------|--|
| Other Charges | \$220 |       |  |
| Total         |       | \$220 |  |

SAFETY FORCES LEVY (FUND 410)

|                   |             |             |  |
|-------------------|-------------|-------------|--|
| Personal Services | \$1,108,192 |             |  |
| Other Charges     | 20000       |             |  |
| Total             |             | \$1,128,192 |  |

STREET LIGHTING (FUND 511)

|               |           |           |           |
|---------------|-----------|-----------|-----------|
| Other Charges | \$485,000 |           |           |
| Total         |           | \$485,000 | 1,613,412 |

SEWER MAINTENANCE (516)

|                   |           |           |         |
|-------------------|-----------|-----------|---------|
| Personal Services | \$418,300 |           |         |
| Other Charges     | 23,730    |           |         |
| Total             |           | \$442,030 | 442,030 |

SEWER REHABILITATION (517)

|               |       |       |  |
|---------------|-------|-------|--|
| Other Charges | \$400 |       |  |
| Total         |       | \$400 |  |

POLICE PENSION (FUND 614)

|               |           |           |  |
|---------------|-----------|-----------|--|
| Other Charges | \$105,000 |           |  |
| Total         |           | \$105,000 |  |

FIRE PENSION (FUND 615)

|               |           |           |  |
|---------------|-----------|-----------|--|
| Other Charges | \$105,000 |           |  |
| Total         |           | \$105,000 |  |

SICK LEAVE BENEFIT (FUND 926)

|               |          |          |           |
|---------------|----------|----------|-----------|
| Other Charges | \$59,000 |          |           |
| Total         |          | \$59,000 | \$269,400 |

TOTAL SPECIAL REVENUE FUNDS: \$3,789,056

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

GENERAL BOND RETIREMENT (FUND 327)

|               |          |          |          |
|---------------|----------|----------|----------|
| Other Charges | \$75,184 |          |          |
| Total         |          | \$75,184 | \$75,184 |

RECREATION BOND RETIREMENT (FUND 328)

|               |     |     |     |
|---------------|-----|-----|-----|
| Other Charges | \$0 |     |     |
| Total         |     | \$0 | \$0 |

SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)

Other Charges \_\_\_\_\_ \$0  
Total \$0 \$0

TOTAL BOND RETIREMENT FUNDS: \$75,184

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

CAPITAL PROJECT FUNDS

GENERAL IMPROVEMENT & REPAIR (FUND 408)

Other Charges \_\_\_\_\_ \$269,000  
Total \$269,000 269,000

SAFETY FORCES VEHICLES (FUND 409)

Other Charges \_\_\_\_\_ \$400,000  
Total \$400,000 \$400,000

POLICE VEHICLES & EQUIPMENT (FUND 411)

Other Charges \_\_\_\_\_ \$0  
Total \$0

RECREATION CONTINGENCY (FUND 418)

Other Charges \_\_\_\_\_ \$0  
Total \$0 0

WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)

Other Charges \_\_\_\_\_ \$1,797,174  
Total \$1,797,174 1,797,174

ROAD RESURFACING (FUND 425)

Other Charges \_\_\_\_\_ \$995,800  
Total \$995,800 995,800

FLOOD CONTROL (FUND 426)

Other Charges \_\_\_\_\_ \$2,012,835  
Total \$2,012,835 2,012,835

SIDEWALK IMPROVEMENT PROGRAM (FUND 427)

Other Charges \_\_\_\_\_ \$7  
Total \$7 7

STAN HOPE PARKING LOT (FUND 430)

Other Charges \_\_\_\_\_ \$2,853  
Total \$2,853

ISSUE II PROJECTS (FUND 431)

Other Charges \_\_\_\_\_ \$0  
Total \$0

LAND ACQUISITION (FUND 440)

Other Charges \_\_\_\_\_ \$3,430,078  
Total \$3,430,078 3,432,931

TOTAL CAPITAL PROJECT FUNDS: \$8,907,747

TRUST & AGENCY (FUND 917)

Other Charges \_\_\_\_\_ \$1,326,000  
Total \$1,326,000

TOTAL TRUST & AGENCY FUND: \$1,326,000

GRAND TOTAL \$31,161,935

**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 2016 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jane Goodman, 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:                          | _____ | 02/22/16  |
| Second Reading:                         | _____ | 3/14/2016 |
| Third Reading:                          | _____ | 3/28/2016 |
| Requested Deadline for Council Passage: | _____ | 3/28/2016 |

## FISCAL OFFICER'S CERTIFICATE

City of South Euclid, Ohio  
February 22, 2016

TO THE COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO

The undersigned, as fiscal officer of the City of South Euclid, Ohio, as defined by Revised Code Section 133.01, hereby certifies as follows in connection with your proposed issue of not more than \$1,600,000 of bonds and notes in anticipation thereof for the purpose of paying the costs of the acquisition, and any necessary clearance and preparation, of real property for urban redevelopment, including public infrastructure improvements to be located thereon, and paying costs of issuance:

1. That the estimated life of the improvements to be acquired from the proceeds of said issue is hereby certified to be at least five (5) years.
2. That the maximum maturity of such bonds calculated in accordance with the provisions of Section 133.20 of the Revised Code of Ohio is at least thirty (30) years, provided that if notes in anticipation of such bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes (2007), the period thereof in excess of five (5) years shall be deducted from the latest permitted maturity of said bonds.

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James Smith, Finance Director  
City of South Euclid

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 03-16  
INTRODUCED BY: Goodman  
REQUESTED BY: Mayor

February 22, 2016

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,600,000 FOR THE PURPOSE OF PAYING THE COSTS OF THE ACQUISITION, AND ANY NECESSARY CLEARANCE AND PREPARATION, OF REAL PROPERTY FOR URBAN REDEVELOPMENT, PAYING COSTS OF ISSUANCE; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 86-06, passed January 9, 2007, the Council of the City of South Euclid, Ohio (the "Council") authorized the issuance of notes (the "2007 Notes") in anticipation of the issuance of bonds in the principal amount of \$17,000,000 for the purpose of paying the costs of the acquisition, and any necessary clearance and preparation, of real property for urban redevelopment, and paying costs of issuance therefor, which 2007 Notes were dated January 30, 2007 and matured on January 29, 2008, and which 2007 Notes were retired with proceeds of notes in the amount of \$18,010,000 (the "2008 Notes") which 2008 Notes were dated January 28, 2008 and matured January 27, 2009, and which 2008 Notes were retired with proceeds of notes in the amount of \$18,550,000 (the "2009 Notes") which 2009 Notes were dated January 26, 2009 and matured January 25, 2010, and which 2009 Notes were retired with proceeds of notes in the amount of \$19,225,000 (the "2010-1 Notes") which 2010-1 Notes were dated January 21, 2010 and matured September 30, 2010, and which 2010-1 Notes were retired, in part, with proceeds of notes in the amount of \$17,270,000 (the "2010-2 Notes"), together with other funds of the City, which 2010-2 Notes were dated September 29, 2010 and matured September 28, 2011, and which 2010-2 Notes were retired, in part, with proceeds of taxable notes in the amount of \$9,595,000 (the "2011 Notes"), together with other funds of the City, which 2011 Notes were dated September 27, 2011 and matured September 26, 2012, and which 2011 Notes were retired, in part, with proceeds of notes in the amount of \$2,000,000 (the "2012 Notes A"), together with other funds of the City, which 2012 Notes A were part of a consolidated issue of Taxable Various Purpose General Obligation (Limited Tax) Bond Anticipation Notes, Series 2012, which issued was dated September 25, 2012 and matured September 24, 2013, and which 2012 Notes were retired with proceeds of notes in the amount of \$2,100,000 (the "2013 Notes") which 2013 Notes were part of a consolidated issue of Taxable Various Purpose General Obligation (Limited Tax) Bond Anticipation Notes, Series 2013 which were dated September 23, 2013 and matured on September 18, 2014; and

WHEREAS, pursuant to Ordinance No. 04-14, passed May 27, 2014, the Council authorized the issuance of Taxable Various Purpose General Obligation (Limited Tax) Bond Anticipation Notes, Series 2014 (the "2014 Notes") to retire the 2013 Notes, for the purposes described in Section 1 hereof, which notes are stated to mature on March 30, 2016; and

WHEREAS, the Council finds and determines that the City (defined below) should retire the 2014 Notes by the issuance of new notes in the principal amount now estimated not to exceed \$1,600,000 in anticipation of the issuance of bonds for the purposes hereinafter stated, together with other moneys of the City; and

WHEREAS, the Finance Director, as fiscal officer of the City (the "Fiscal Officer"), has certified to the estimated life of the improvements to be acquired with the proceeds of the bonds anticipated, the maximum maturity of the bonds anticipated and the notes herein authorized is greater than five (5) years;

NOW, THEREFORE, BE IT ORDAINED by the Council:

Section 1: That it is hereby declared necessary to issue bonds of the City of South Euclid, Ohio (the "City") in a principal sum not to exceed \$1,600,000 for the purpose of paying

the costs of the acquisition, and any necessary clearance and preparation, of real property for urban redevelopment; and paying costs of issuance.

Section 2: That said bonds shall be dated March 1, 2017, shall bear interest at the estimated rate of six and fifty one hundredths percent (6.5%) per annum, payable semi-annually until the principal sum is paid, and shall mature as certified by the Fiscal Officer.

Section 3: That it is hereby determined that notes (the "Notes") in a principal amount not to exceed \$1,600,000 shall be issued in anticipation of the issuance of bonds for the above-described purposes. The services of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio, as Bond Counsel for the Notes are hereby retained. The Notes shall be sold at private sale to the Original Purchaser (as defined in Section 5 hereof) and shall bear interest at the rates fixed by the Fiscal Officer or the Mayor in the certificate awarding the Notes (the "Certificate of Award"), provided that such rates shall not exceed five per centum (5.0%) per annum. Interest on the Notes shall be payable at maturity, with provision, if requested by the purchaser, that, in the event of default, the Notes shall bear interest, at a rate which shall not exceed ten per centum (10%) per annum, until the principal sum is paid or provided for. The Notes shall be dated their date of issuance, shall mature on a date that is between three months and twelve months, inclusive, from their date of issuance all as determined by the Fiscal Officer or the Mayor to be in the best interest of the City and set forth in the Certificate of Award, provided that if such maturity date is not a business day, the Notes shall mature on the first business day immediately preceding such date. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the Original Purchaser of the Notes requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon ten (10) days written notice to the Paying Agent (as defined below) for the Notes, or to the Original Purchaser if the Fiscal Officer is the Paying Agent. In addition, the Notes shall be issued in the numbers and denominations requested by the Original Purchaser (subject to the provisions of Section 4), and shall be payable as to both principal and interest at the office of the Fiscal Officer of the City, or at a bank or trust company designated by the Fiscal Officer (herein individually or collectively the "Paying Agent"), without deduction for exchange, collection or service charge. To the extent that at the maturity of the Notes funds of the City, whether from the levy of taxes or otherwise, are not available in an amount sufficient to retire the Notes, the Council of the City shall pass legislation authorizing the issuance of notes or bonds, the proceeds of which shall be used to retire said Notes.

Section 4: The Notes shall be designated "Taxable Real Estate Acquisition and Urban Redevelopment General Obligation Bond Anticipation Notes, Series 2016." Pursuant to Section 133.30(B), Ohio Revised Code, the Fiscal Officer may combine the Notes with other bond anticipation notes into a single consolidated issue of bond anticipation notes for purposes of their sale as a single issue to be designated "Taxable Various Purpose General Obligation (Limited Tax) Bond Anticipation Notes, Series 2016." Such Notes shall contain a summary statement of purposes for which they are issued; shall state that they are issued pursuant to this Ordinance, shall be issued in the numbers and denominations requested by the Original Purchaser, provided that the Notes shall be in minimum denominations of \$100,000, and shall be executed by the Mayor and the Fiscal Officer of the City, provided that one of such signatures may be a facsimile signature.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as hereinafter defined) for use in a book-entry system (as hereinafter defined). The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of the Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one Note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as hereinafter defined), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for

transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Fiscal Officer may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the beneficial owners by the then Depository and any other arrangements he deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as he determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

Section 5: That the Notes shall be sold by the Fiscal Officer or the Mayor at private sale in a manner and upon terms determined by the Fiscal Officer or the Mayor to be in the best interest of the City at not less than par plus accrued interest to KeyBanc Capital Markets Inc. (the “Original Purchaser”), in accordance with law and the provisions of this Ordinance. The Fiscal Officer shall, in accordance with his determination of the best interests of and financial advantages to the City and its taxpayers and conditions then existing in the financial market, consistently with the provisions hereof, establish the terms of the Notes to be specified in a Certificate of Award and sign the Certificate of Award referred to in Section 3 evidencing the sale of the Notes. The Fiscal Officer is hereby authorized and directed to deliver the Notes, when executed, to the Original Purchaser thereof upon payment of the purchase price. The proceeds of such sale shall be paid into the proper fund and used for the purpose for which the Notes are being issued and to pay those costs of issuance set forth in Section 133.15(B), Ohio Revised Code. Any premium received by the City and accrued interest shall be transferred to the City’s Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law. In addition, the Mayor and the Fiscal Officer, as appropriate, are each authorized and directed to sign any other transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 6: That, if required by the Original Purchaser, the Fiscal Officer is authorized and directed to execute a continuing disclosure certificate (the “Disclosure Certificate”) dated the date of delivery of the Notes and delivered to the Original Purchaser of the Notes for the benefit of the holders of the Notes (the “Noteholders”) and to assist the Original Purchaser in complying with S.E.C. Rule 15c2-12(b)(5). The City hereby covenants and agrees that, if such a Disclosure Certificate is provided, it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Noteholder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section.

Section 7: That the Notes shall be full general obligations of the City and that the full faith and credit of the City are hereby pledged for the prompt payment of the same. The par

value to be received from the sale of the bonds anticipated by the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is hereby pledged for such purpose.

Section 8: That during the years while the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and as the same falls due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of such revenues so available and appropriated.

Section 9: That while the Notes are outstanding, the City hereby covenants to appropriate annually, to the extent required, sufficient amounts from municipal income tax revenues to pay principal and interest on the Notes when the same fall due, and to continue to levy and collect the municipal income tax in an amount necessary to meet debt charges on the Notes. The City covenants to deposit into the Bond Retirement Fund, from available funds appropriated for the purpose, an amount necessary to meet any shortfall that may exist between the amount then available in the Bond Retirement Fund and the amount of principal and interest due at maturity of the Notes.

Section 10: That it is hereby determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Notes.

Section 11: That the Fiscal Officer of the City is hereby directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 12: That the Mayor and Fiscal Officer, or either of them, are hereby authorized to prepare, execute and deliver to the Original Purchaser of the Notes a preliminary and final official statement or any other appropriate disclosure document of the City in connection with the sale and delivery of the Notes, if so requested by the Original Purchaser.

Section 13: 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 14: That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation for the public peace, health, and safety and for further reason that this Ordinance is required to be immediately effective to provide funds to retire the 2014 Notes which are about to mature and thereby protect the credit of the City. 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 February, 2016.

---

Jane Goodman, President of Council

Attest:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

Approved:

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law