

THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

March 14, 2016
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: February 22, 2016

4. SPECIAL PRESENTATION: FIREFIGHTER OF THE YEAR

1. RESOLUTION 06-16 IN APPRECIATION TO AND RECOGNITION OF FIREFIGHTER MATTHEW ZIEMBA FOR HIS OUTSTANDING SERVICE TO THE SOUTH EUCLID FIRE DEPARTMENT AND THE RESIDENTS OF SOUTH EUCLID AND HAVING BEEN NOMINATED AND ELECTED FIREFIGHTER OF THE YEAR FOR 2015. FIRST READING.

5. OPEN MEETING

6. LEGISLATION FOR REMOVAL FROM COUNCIL DOCKET

LEGISLATIVE COMMITTEE

1. ORDINANCE 37-11 AMENDING SECTION 351.14 "ALL-NIGHT PARKING PROHIBITED" OF CHAPTER 351 "PARKING GENERALLY" OF PART THREE "TRAFFIC CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FOR REMOVAL.**

7. REPORT OF COMMITTEES

COMMITTEE-OF-THE-WHOLE

1. 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. **THIRD READING.**
2. 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. **SECOND READING.**

3. 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. **SECOND READING.**

RECREATION COMMITTEE

1. 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. **SECOND READING.**

8. LEGISLATION REQUESTED BY CITY COUNCIL

1. RESOLUTION 07-16 APPOINTING MEMBERS TO THE TREE COMMISSION OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY CHAPTER 943 "TREE COMMISSION/TREES" OF PART NINE "STREETS AND PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.
2. RESOLUTION 08-16 A RESOLUTION BY THE SOUTH EUCLID CITY COUNCIL IN OPPOSITION TO HOUSE BILL 48 "THE GUNS EVERYWHERE BILL". FIRST READING.

9. MAYOR'S REPORT

10. LAW DIRECTOR'S REPORT

11. LETTERS AND COMMUNICATIONS

12. ADJOURN

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Jane Goodman called the meeting to order and the Pledge of Allegiance was recited.

Roll Call

Present: Council President Pro Tem Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

Approval of Minutes: February 8, 2016

Action: Motion to Approve Minutes of Previous Meetings, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President Pro Tem Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

The Minutes have been approved.

Opening Meeting of Council:

President Goodman called the Open Meeting of Council to order and invited the audience to address Council:

- Robert Schoenewald, 4426 Bayard, discussed the bond renewal that is on the agenda and that he believes it is for the Greenvale notes and asked when the city was going to start paying it off.
- Rev. Kristine Eggert, 1876 Langerdale Road, spoke in opposition to House Bill 48, which expands the State's gun law to allow open carry in school zones, government buildings, colleges and daycare centers. Ms. Eggert is collecting signatures for a petition to repeal the law.
- Dave Eggert, 1876 Langerdale Road, also spoke in opposition to House Bill 48 and urged City Council to go on the record and pass a resolution opposing the State Legislature's Bill.
- Pat Mocnik, 4109 Lowden Road, spoke of his concern for the proposed Lowden development and potential for flooding. Mr. Mocnik stated that there is already flooding at a neighbor's home because the former Lowden School property was not leveled properly when the school was demolished.
- Lucy Oravec, 4113 Lowden Road, stated that she is against the proposed Lowden School development and that the 65 unit proposed subsidized housing development for seniors will bring their property values down.
- Joseph Miller, 4115 Lowden Road, spoke in opposition to the Lowden development and stated that the project is inconsistent with the neighborhood and he hopes council will agree with the Planning Commission's recommended to not rezone the property because it is not a good deal for the City of South Euclid.
- Mike Heltzel, 1568 Sheridan Road, reported that he is President of the South Euclid Lyndhurst Youth Baseball Association and discussed the growth and success of the youth program, including the addition of a new fall league. Mr. Heltzel thanked resident Beth Greisl for her hard work to make the program a success and the money the league has put into the City's ballfields and new programs including a T-Ball League. Mr. Heltzel and Ms. Greisl presented several members of City Council with plaques in appreciation of their support.
- Priscilla Bradley, 4049 Dartford, discussed her concerns with what she believes are drug deals that are occurring at the end of the street and her concerns about the potential for halfway houses in the neighborhood and stated that she does not want halfway houses or group homes.

Report of Council Committees:**Recreation Committee**

Councilwoman Gray reported that the Committee met to discuss the summer pool fee ordinance. There were some amendments made and the legislation was recommended for passage.

Legislation from the Planning Commission

Introduced by Miller

Ordinance 27-15

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." **TO BE PLACED ON SECOND READING FOR REFERRAL TO THE ZONING & PLANNING COMMITTEE FOR A PUBLIC HEARING.**

Mayor's Report:

Economic Development Director Love requested consideration of the legislation for the transfer of property to One South Euclid.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 04-16

RESOLUTION

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

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Dennis Fiorelli.

Councilwoman Gray requested that Council revisit the agreement with One South Euclid to make certain that the proceeds from the sale of the properties are being returned to the community in the form of loans and grants. Director Benjamin reported that the One South Euclid Board has been discussing the establishment of several loan and grant programs to help residents in need and that he would set up a meeting with the CDC and One South Euclid.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.
The legislation has been approved.

Introduced by Goodman

Resolution 05-16

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. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Jane Goodman, **Seconded by** Councilman Moe Romeo.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.
The legislation has been approved.

Introduced by Goodman

Ordinance 01-16

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. SECOND READING.

The legislation was placed on second reading. Councilman Icove requested that the ordinances be reviewed by independent parties. Mr. Benjamin stated that each department director or Chief affected by any changes reviewed the codified changes.

Introduced by Goodman

Ordinance 02-16

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. FIRST READING.

The legislation was placed on first reading and referred to the Committee of the Whole.

Introduced by Goodman

Ordinance 03-16

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. FIRST READING.

Councilman Fiorelli discussed the legislation and that the ordinance must be passed at the March 14th Council Meeting. Mr. Fiorelli stated that he met with Finance Director Smith about the ordinance and had all of his questions answered and requested that Council Members contact Mr. Smith in the next three weeks prior to the next council meeting if they have any questions or need any additional information.

Law Director's Report – no report.

Letters & Communications

- Council President Goodman scheduled a Public Hearing regarding the proposed Lowden rezoning for April 11, 2016 from 6-8 pm at South Euclid City Hall.
- Councilman Icove reported on the memo in council packets from the Mayor regarding the forthcoming resignation of Finance Director Smith and requested that the job notice be posted on the website and with the Ohio Finance Officers Association and Ohio Municipal League.
- Councilman Fiorelli discussed the Recreation Survey and asked residents to please go online and fill it out if they have not already.
- Councilman Romeo scheduled a committee of the whole meeting to discuss the proposed court merger legislation. The meeting was scheduled for March 14th at 6 pm. Mr. Romeo requested that Ord. 37-11 regarding parking prohibitions be placed on the docket for removal at the next meeting and stated that if there is any value in revisiting the issue, council can introduce new legislation.
- Councilwoman Gray reported that the annual Ward One Meeting will be held on March 10 at 6:30 pm at the new branch of the Cuyahoga County Library and reported on the recreation survey which will give Council and the city feedback on what it can do to make our parks better.
- Councilman Gelfand reported on the passing of longtime South Euclid resident Ron Balis, a Korean War veteran who passed away at 81 years of age. Mr. Gelfand reported that Mr. Balis was featured recently in a

play performed by Notre Dame College theatre students. Mr. Gelfand reported on a farewell luncheon that was held for retiring US District Attorney Steve Dettelbach. Councilman Gelfand also reported on the school report cards and an effort in the Cleveland Heights University Heights Schools that question the state test score reporting requirements versus the actual student achievements.

- Councilman Russell stated that as spring approaches and the snow melts, there is accumulated trash on the streets and in yards and requested that residents please take the time to pick up trash when they see it.
- Council President Goodman discussed the annual spring Community Clean Up Day and the process for the appointment of Tree Commission Members.
- Councilman Romeo discussed the need for resident applications for the Tax Review Board.
- Council President Goodman reported on the March 3rd South Euclid Business Appreciation Mixer hosted by the Heights Hillcrest Chamber of Commerce at 5:30 pm at University Suburban Health Center and the upcoming annual city Spring Fest. Ms. Goodman also confirmed with Councilman Ilove that there will be a Ward 3 Meeting on March 30th.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Moe Romeo, **Seconded by** Councilman Marty Gelfand.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

The Meeting Adjourned at 9:03 pm.

Council President

Attest:

Clerk of Council

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 06-16
INTRODUCED BY: Goodman
REQUESTED BY: Mayor

March 14, 2016

A RESOLUTION

IN APPRECIATION TO AND RECOGNITION OF FIREFIGHTER MATTHEW ZIEMBA FOR HIS OUTSTANDING SERVICE TO THE SOUTH EUCLID FIRE DEPARTMENT AND THE RESIDENTS OF SOUTH EUCLID AND HAVING BEEN NOMINATED AND ELECTED FIREFIGHTER OF THE YEAR FOR 2015.

- WHEREAS, Matthew Ziemba has served the City of South Euclid as a Firefighter/Paramedic since September 24, 2001 and has completed almost 15 years of continuous service; and
- WHEREAS, Firefighter Matthew Ziemba has earned his Emergency Medical Technician Certification, his Professional Firefighters Certification, and his Paramedic Certification; and
- WHEREAS, Firefighter Matthew Ziemba was recognized as the South Euclid Fire Department "Responder of the Year" in 2003 as he answered 550 calls for emergency service; and
- WHEREAS, Firefighter Matthew Ziemba has received his State Certification as a Fire Safety Inspector and his Firefighter Officer I Certification; and
- WHEREAS, Firefighter Matthew Ziemba volunteered to serve on the Ambulance Purchasing Committee in 2015 and found innovative design changes for the patient care area which resulted in the purchase of a rescue squad \$30,000 less than anticipated; and
- WHEREAS, Firefighter Matthew Ziemba volunteers for the annual Muscular Dystrophy "Fill the Boot" Campaign, the nationwide charity supported by firefighters; and
- WHEREAS, Firefighter Matthew Ziemba has been recognized on the "Wall of Saves" of the South Euclid Fire Department on seven separate occasions; and
- WHEREAS, Firefighter Matthew Ziemba consistently comes to work with a positive attitude, leadership skills and a desire to do what is best for the residents and the Department; and is deserving of the nomination and election of Firefighter of the Year 2015.

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 Firefighter Matthew Ziemba for his dedication, interest, and devotion to the City of South Euclid and wish to congratulate him on being named Firefighter of the Year 2015.

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

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
Third Reading: March 14, 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: Mayor

February 22, 2016
 Second Reading: March 14, 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>8,209</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 - 9910/9920

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

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	<u>903</u>		
Total		\$903	903

SWIMMING POOLS (FUND 206)

Personal Services	\$147,936		
Other Charges	<u>77,750</u>		
Total		\$225,686	225,686

PERMISSIVE MOTOR VEHICLE TAX (FUND 207)

Other Charges	<u>\$165,000</u>		
Total		\$165,000	165,000

HUD GRANT - NSP 3 (FUND 215)

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

POLICE RANGE (FUND 220)

Other Charges	<u>\$62,200</u>		
Total		\$62,200	

LAW ENFORCEMENT TRUST (FUND 221)

Other Charges	<u>\$110,000</u>		
Total		\$110,000	172,200

FEMA FIREFIGHTERS GRANT (FUND 222)

Other Charges	<u>\$220</u>		
Total		\$220	

SAFETY FORCES LEVY (FUND 410)

Personal Services	\$1,108,192		
Other Charges	<u>20000</u>		
Total		\$1,128,192	

STREET LIGHTING (FUND 511)

Other Charges	<u>\$485,000</u>		
Total		\$485,000	1,613,412

SEWER MAINTENANCE (516)

Personal Services	\$418,300		
Other Charges	<u>23,730</u>		
Total		\$442,030	442,030

SEWER REHABILITATION (517)

Other Charges	<u>\$400</u>		
Total		\$400	

POLICE PENSION (FUND 614)

Other Charges	<u>\$105,000</u>		
Total		\$105,000	

FIRE PENSION (FUND 615)

Other Charges	<u>\$105,000</u>		
Total		\$105,000	

SICK LEAVE BENEFIT (FUND 926)

Other Charges	<u>\$59,000</u>		
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	<u>\$75,184</u>		
Total		\$75,184	\$75,184

RECREATION BOND RETIREMENT (FUND 328)

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

SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)

Other Charges	<u>\$0</u>		
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	<u>\$269,000</u>		
Total		\$269,000	269,000

SAFETY FORCES VEHICLES (FUND 409)

Other Charges	<u>\$400,000</u>		
Total		\$400,000	\$400,000

POLICE VEHICLES & EQUIPMENT (FUND 411)

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

RECREATION CONTINGENCY (FUND 418)

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

WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)

Other Charges	<u>\$1,797,174</u>		
Total		\$1,797,174	1,797,174

ROAD RESURFACING (FUND 425)

Other Charges	<u>\$995,800</u>		
Total		\$995,800	995,800

FLOOD CONTROL (FUND 426)

Other Charges	<u>\$2,012,835</u>		
Total		\$2,012,835	2,012,835

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>\$3,430,078</u>		
Total		\$3,430,078	3,432,931

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

TRUST & AGENCY (FUND 917)

Other Charges	<u>\$1,326,000</u>		
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
March 14, 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.

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
Second Reading: March 14, 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 March, 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

CITY OF SOUTH EUCLID, OHIO

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

December 28, 2015
As Amended in Committee: February 22, 2016
Second Reading: March 14, 2016

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 LYNDBURST 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, **partner or guardian** of the nominal head of the household, and includes **children under the age of 18**.

- ~~(1) Spouse and/or partner~~ 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.

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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. The Director shall have the authority to determine capacity limits.~~

- (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

Continued...

above mentioned courses, upon payment of the daily admission charge AND any applicable tuition fee for each lesson. Pool employees may participate in Basic Water Rescue and Life-guarding at no admission cost.

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

Continued...

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.

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.: 07-16
INTRODUCED BY: Goodman
REQUESTED BY: Goodman

March 14, 2016

A RESOLUTION

APPOINTING MEMBERS TO THE TREE COMMISSION OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY CHAPTER 943 "TREE COMMISSION/TREES" OF PART NINE "STREETS AND PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, Chapter 943 "Tree Commission/Trees" of Part Nine Streets and Public Services" of the Codified Ordinances of the City of South Euclid, Ohio provides the Council the opportunity to appoint four members to the Tree Commission for four year terms as defined in Chapter 943.03;

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

Section 1: That City Council appoints the following as Tree Commission Members for the City of South Euclid in accordance with Chapter 943.03 of the Codified Ordinances of the City of South Euclid, Ohio:

J. Meiring Borchers
Joseph D. Mehalik
Miriam S. Plax
Deborah Wright

Section 2: The above individuals shall serve four-year terms expiring June 31, 2020.

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 peace, health, and welfare of the residents and for the further reason that a function of government is effected in that this legislation must be passed within (30) days of a vacancy occurring on the Planning Commission. 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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 08-16
INTRODUCED BY: Goodman
REQUESTED BY: Gelfand

March 14, 2016

A RESOLUTION

A RESOLUTION BY THE SOUTH EUCLID CITY COUNCIL IN OPPOSITION
TO HOUSE BILL 48 "THE GUNS EVERYWHERE BILL"

WHEREAS, the City of South Euclid has a commitment to the safety and welfare of its citizens and the community at large; and

WHEREAS, Ohio House Bill 48, "the Guns Everywhere Bill" would allow conceal/carry permit holders to leave their loaded weapon locked in their unattended vehicles in School Safety Zones and school parking lots, providing an additional source of stolen guns for the underground weapons market; and

WHEREAS, Ohio House Bill 48 would allow conceal/carry permit holders to carry their loaded weapons onto public and private college campuses; and

WHEREAS, Ohio House Bill 48 would allow conceal/carry permit holders to carry their loaded weapons into the over 8,000 daycare homes and centers in Ohio; and

WHEREAS, Ohio House Bill 48 would allow conceal/carry permit holders to carry their loaded weapons into government buildings, public areas of police stations and airport terminals; and

WHEREAS, according to the Ohio Coalition Against Gun Violence, the proposed expansion of hidden, loaded weapons will do nothing to improve Ohio's safety or reduce gun violence and will only serve to further normalize the presence of weapons in public spaces; and

WHEREAS, the Ohio Association of Chiefs of Police and the Ohio Conference of the American Association of University Professors oppose this legislation.

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

Section 1: This Council formally expresses its strong opposition to House Bill 48. It is the City Council's position that the South Euclid community could suffer many negative repercussions if House Bill 48 were passed.

Section 2: The Clerk of Council is hereby directed to forward a copy of this resolution to Governor John Kasich and the Ohio General Assembly.

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