

THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

April 27, 2015

8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: March 9, 2015 & March 23, 2015

4. SPECIAL PRESENTATION: Purple Heart Homes "Mission Complete" Video

5. RECOGNITION CEREMONY: Cuyahoga County "Ready Certify" Presentation recognizing Mayor Welo, Chief Nietert, and Chief Stefko

6. OPEN MEETING

7. REPORT OF COMMITTEES

COMMITTEE-OF-THE-WHOLE

1. RESOLUTION 02-15 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ONE SOUTH EUCLID FOR THE PROVISION OF COMMUNITY DEVELOPMENT SERVICES FOR THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

8. MAYOR'S REPORT

9. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 11-15 SUBMITTING THE QUESTION OF RENEWING AN EXISTING TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF ROADS AND STREETS IN THE CITY. TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, PURSUANT TO OHIO REVISED CODE SECTION 5705.19, TO THE ELECTORS OF THE CITY OF SOUTH EUCLID. **TO BE PLACED ON FIRST READING FOR REFERRAL TO COMMITTEE.**

2. RESOLUTION 12-15 SUPPORTING THE APPLICATION OF DFS MANAGEMENT, LLC TO THE CUYAHOGA COUNTY BROWNFIELD REDEVELOPMENT FUND COMMUNITY ASSESSMENT INITIATIVE IN THE CITY OF SOUTH EUCLID, OHIO, AND DECLARING AN EMERGENCY. FIRST READING.

3. RESOLUTION 13-15 AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION PROGRAM COOPERATIVE AGREEMENT WITH CUYAHOGA COUNTY TO ACCEPT THE CITY OF SOUTH EUCLID, OHIO PROPERTY DEMOLITION FUND ROUND I AWARD. FIRST READING.

4. ORDINANCE 08-15 AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF SOUTH EUCLID, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, REQUESTING THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY. FIRST READING.
5. ORDINANCE 09-15 AMENDING SECTION 131.08 "FIRE DEPARTMENT: DUTIES" OF CHAPTER 131 "DEPARTMENT OF PUBLIC SAFETY" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

10. LAW DIRECTOR'S REPORT

11. LETTERS AND COMMUNICATIONS

12. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 02-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

March 23, 2015
Second Reading: April 27, 2015

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ONE SOUTH EUCLID FOR THE PROVISION OF COMMUNITY DEVELOPMENT SERVICES FOR THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, a community development corporation, One South Euclid, was created to revitalize the city's commercial districts and residential neighborhoods; and

WHEREAS, One South Euclid is led by a board of volunteer business and community leaders; and

WHEREAS, as a 501 (c)(3) designated organization, One South Euclid can provide services to the City of South Euclid in an efficient and effective manner; and

WHEREAS, City Council passed Resolution 22-12 on April 23, 2012 authorizing the Mayor to enter into a three-year agreement with One South Euclid for certain services; and

WHEREAS, One South Euclid experienced success during the initial agreement and played a role in the continued growth of the South Euclid community; and

WHEREAS, the Council desires to renew the agreement between the City of South Euclid and One South Euclid for an additional three years to ensure the organization continues to grow and positively impact the community.

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

Section 1: That the Mayor be and she is hereby authorized to enter into an agreement with One South Euclid for a period of May 1, 2015-April 30, 2018, to perform professional and community development services under the terms and provisions as contained in the agreement, a copy of which is attached hereto and made a part hereof as Exhibit A.

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

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

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Attest:

Approved:

Keith 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.: 11-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 27, 2015

A RESOLUTION

SUBMITTING THE QUESTION OF RENEWING AN EXISTING TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF ROADS AND STREETS IN THE CITY. TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, PURSUANT TO OHIO REVISED CODE SECTION 5705.19, TO THE ELECTORS OF THE CITY OF SOUTH EUCLID.

BE IT RESOLVED, by the Council of the City of South Euclid, Cuyahoga County, Ohio, two-thirds of the members elected thereto concurring:

Section 1: That it is hereby found, determined and declared that the amount of taxes which may be raised by the City of South Euclid within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide for the necessary requirements of the City, and that it is necessary to levy a tax in excess of such limitation for the purpose of providing funds for the general construction, reconstruction, resurfacing and repair of roads and streets in the City, together with all necessary incidentals and appurtenances thereto, in the amount of two and one-half (2.5) mills for five (5) years.

Section 2: That the question of Renewing the existing levy of two and one-half (2.5) mills (the last collection of which existing tax is occurring in calendar year 2015) for the purpose of providing funds for the general construction, reconstruction, resurfacing and repair of roads and streets in the City, together with all necessary incidentals and appurtenances thereto, for five (5) years beginning with the tax list and duplicate for the year 2015, the proceeds of which levy first would be available to the City in the calendar year 2016, be submitted under the provisions of Section 5705.19, Ohio Revised Code, to the electors of the City of South Euclid at the election to be held therein on the 3rd day of November, 2015, as authorized by law, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Cuyahoga County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section 3: That the form of ballot to be cast at the election on the question of this tax levy shall be substantially as follows:

PROPOSED TAX LEVY (RENEWAL)
CITY OF SOUTH EUCLID, OHIO

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

A RENEWAL OF AN EXISTING LEVY TO CONSTITUTE A TAX FOR THE BENEFIT OF THE CITY OF SOUTH EUCLID FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF ROADS AND STREETS IN THE CITY, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AT A RATE NOT EXCEEDING 2.5 MILLS FOR EACH ONE DOLLAR OF VALUATION WHICH AMOUNTS TO 25 CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION FOR FIVE YEARS COMMENCING IN 2015 FIRST DUE IN CALENDAR YEAR 2016.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

Section 4: That the Clerk of Council is hereby authorized and directed to give or cause to be given notice of said election as provided by law.

Section 5: That the Clerk of Council is hereby authorized and directed to certify a copy of this Resolution immediately after adoption, and on or before August 5, 2015, to the Board of Elections of Cuyahoga County, Ohio.

Section 6: 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 7: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that this Resolution must be adopted and certified to the Board of Elections on or before August 5, 2015, in order to submit the proposed levy to the electors at an election to be held on November 3, 2015; wherefore this Resolution shall take effect and be in force from and immediately after adoption and approval by the Mayor.

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 12-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 27, 2015

A RESOLUTION

SUPPORTING THE APPLICATION OF DFS MANAGEMENT, LLC TO THE CUYAHOGA COUNTY BROWNFIELD REDEVELOPMENT FUND COMMUNITY ASSESSMENT INITIATIVE IN THE CITY OF SOUTH EUCLID, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to conduct an environmental assessment of the property at 14141 Cedar Road, Permanent Parcel Numbers 704-20-051, and 704-20-045 in the City of South Euclid, Ohio; and

WHEREAS, there is funding available for the assessment of the property through the Cuyahoga County Brownfield Redevelopment Fund Community Assessment Initiative; and

WHEREAS, DFS Management, LLC desires to make application for a grant to fund the assessment of the property through the Cuyahoga County Brownfield Redevelopment Fund Community Assessment Initiative; and

WHEREAS, should DFS Management, LLC purchase the subject property, receive approval of rezoning, and subsequently construct a building on the property, DFS Management, LLC will create fourteen (14) jobs in the City of South Euclid as part of a relocation project for the company University Heights Dental which will be the primary tenant, additional jobs may be created through future growth of University Heights Dental and other medical and professional office tenants potentially leasing space in the building upon completion; and

WHEREAS, between acquisition and construction, DFS Management, LLC will invest over \$905,000.00 at 14141 Cedar Road; and

WHEREAS, the City of South Euclid desires to support this application for such funding.

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

Section 1: That the Mayor and Council of the City of South Euclid support the application of DFS Management, LLC to the Cuyahoga County Brownfield Redevelopment Fund Community Assessment Initiative for a grant to receive funding for the assessment of the property at 14141 Cedar Road, Permanent Parcel Numbers 704-20-051, and 704-20-045 located in the City of South Euclid.

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

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for further reason that it is immediately necessary to support the application of DFS Management, LLC to the Cuyahoga County Brownfield Redevelopment Fund Community Assessment Initiative for a grant to receive funding for the assessment of the property at 14141 Cedar Road, Permanent Parcel Numbers 704-20-051, and 704-20-045 located in the City of South Euclid. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 13-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 27, 2015

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION PROGRAM COOPERATIVE AGREEMENT WITH CUYAHOGA COUNTY TO ACCEPT THE CITY OF SOUTH EUCLID, OHIO PROPERTY DEMOLITION FUND ROUND I AWARD.

WHEREAS, the City of South Euclid made application to Cuyahoga County to obtain funding from Round I of the Cuyahoga County Property Demolition Fund; and

WHEREAS, upon review of the application, Cuyahoga County has chosen to award the City of South Euclid \$400,000.00 to be used to demolish vacant, abandoned, nuisance or blighted structures; and

WHEREAS, in order for the city to accept the Property Demolition Fund Round I Award, the Mayor is required to enter into a Demolition Program Cooperative Agreement with Cuyahoga County upon City Council passing legislation allowing the Mayor to take this action.

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

Section 1: That the Mayor is hereby authorized to enter into a Demolition Program Cooperative Agreement with Cuyahoga County in order for the City of South Euclid to receive its \$400,000 Cuyahoga County Property Demolition Fund Round I Award.

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.

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

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 08-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 27, 2015

AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF SOUTH EUCLID, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, REQUESTING THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY.

WHEREAS, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The resurfacing of Cedar Road from IR-271 to Green Road.

NOW THEREFORE, be it ordained by the Council of the City of South Euclid, County of Cuyahoga and State of Ohio;

A. CONSENT

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to construct the above described improvement in accordance with plans, specifications and estimates approved by the COUNTY.

B. COOPERATION

1. That the MUNICIPALITY will cooperate with the COUNTY in the resurfacing of Cedar Road from IR-271 to Green Road.
2. That the COUNTY will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the improvement, under current Cuyahoga County standards for construction of County roads and bridges.
3. That the COUNTY will arrange for the supervision and administration of the construction project.

C. FUNDING

1. That the MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY portion of the project.
2. The COUNTY shall secure and/or contribute one-hundred percent (100%) of the cost of design, construction and construction supervision.
3. That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds shall be applied to the COUNTY's share of the costs specified herein.

D. MAINTENANCE

That upon completion of said improvement, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and

2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the improvement in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

E. TRAFFIC

That upon completion of said improvement said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
2. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
3. That stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
4. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
5. The MUNICIPALITY shall regulate parking in the following manner:
Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

F. RIGHT-OF-WAY

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the aforesaid improvement shall be made available therefore.
2. That in the event any additional right-of-way is required, the MUNICIPALITY will arrange for the acquisition.

G. UTILITIES

1. That the MUNICIPALITY will make arrangements with and obtain agreements from all privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.
2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate

Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all arrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.
4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

H. MISCELLANEOUS

1. That if the COUNTY is formally requested by a MUNICIPAL RESOLUTION to include the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the improvement), sidewalks, alternate bid items, or other items in the improvement that are in addition to those now existing and not provided for elsewhere in this Ordinance, the COUNTY will do so, provided that this construction meets with the approval of the COUNTY and the MUNICIPALITY involved in this improvement; and that the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering, and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certifications or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.
3. For the purpose of this Ordinance, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the COUNTY.

I. AUTHORITY TO SIGN

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the COUNTY for approval to use County Motor Vehicle License Tax Funds for the improvement.

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.

That this Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CERTIFICATE OF COPY

State of Ohio)
County of Cuyahoga) SS.
City of South Euclid)

I, _____, as Clerk of the City of South Euclid, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the _____ day of _____, 20____, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this _____ day of _____, 20____.

Clerk
City of South Euclid, Ohio

MUNICIPAL SEAL

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 09-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

April 27, 2015

AN ORDINANCE

AMENDING SECTION 131.08 "FIRE DEPARTMENT: DUTIES" OF CHAPTER 131 "DEPARTMENT OF PUBLIC SAFETY" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

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

Section 1: That Section 131.08 "Fire Department: Duties" of Chapter 131 "Department of Public Safety" of Part One "Administrative Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

"131.08 FIRE DEPARTMENT: DUTIES.

(a) (1) The Fire Department shall provide the highest level of life and property safety through the extension of Fire Prevention, Fire Control, Emergency Medical and Public Education Services.

(2) In addition to the foregoing duties, the Fire Department shall furnish emergency ambulance service in all cases of illness, injury and other bodily harm. Such emergency medical service will be provided at the Advanced Life Support level and each ambulance shall be staffed with a minimum of one Basic EMT-A and one Paramedic.

(b) Each person receiving emergency medical service from the City shall be charged a fee for each response as follows:

- (1) BLS emergency transport one way \$400.00
- (2) ALS emergency transport one way \$550.00
- (3) ALS/BLS per mile transport one way \$10.00

(c) Billing and collection of said fees shall be conducted by a professional service selected by the Administration. Said professional billing agency shall have the power to accept insurance assignments. Council shall determine by a policy attached to Ordinance No. 47-07, passed November 26, 2007 and made a part hereof those accounts uncollectible by law or hardship and such accounts shall be reviewed by the Finance Director and forwarded to the designated collection agency within thirty days.

(d) The Finance Director shall establish a fund, to be entitled the Safety Forces Vehicle Fund, into which the first ~~two hundred thousand dollars (\$200,000)~~ **two hundred twenty five thousand dollars (\$225,000)** annually collected pursuant to this section will be deposited."

Section 3: 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 4: That this Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and for the further reason that it affects the daily operation of the Fire Department and the billing and collection for EMS services, so that it is necessary to amend the policy at the earliest possible time. Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2015.

David B. Miller, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law