

# THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

Tuesday May 28, 2013  
8:00 PM

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1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. OPEN MEETING
4. REPORT OF COMMITTEES

## COMMITTEE OF THE WHOLE

1. RESOLUTION 18-13                      SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL PROVISION OF POLICE, FIRE, AND OTHER SAFETY SERVICES 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, OHIO; AND DECLARING AN EMERGENCY. **SECOND READING.**
2. ORDINANCE 04-13                      TEMPORARILY AMENDING ORDINANCE 171.1901 "SOUTH EUCLID RESIDENT SUBJECT TO INCOME TAX IN OTHER MUNICIPALITY" OF SECTION 171 "MUNICIPAL INCOME TAX" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. **SECOND READING.**
3. ORDINANCE 05-13                      AMENDING SECTION 171.0501, OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, TITLE NINE "MUNICIPAL INCOME TAX" BY INCREASING THE RATE OF THE MUNICIPAL INCOME TAX TO \_\_\_\_\_ ( % ) PROVIDING FOR SUBMISSION OF THE AMENDMENT TO THE ELECTORS OF THE CITY OF SOUTH EUCLID; AND DECLARING AN EMERGENCY. **SECOND READING.**

## 5. LEGISLATION REQUESTED BY THE PLANNING COMMISSION

1. RESOLUTION 29-13                      GRANTING A CONDITIONAL USE PERMIT TO 2120 SOUTH GREEN ROAD SYNAGOGUE, LOCATED AT 2120 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.
2. RESOLUTION 30-13                      GRANTING A CONDITIONAL USE PERMIT TO NOTRE DAME COLLEGE, LOCATED AT 4545 COLLEGE ROAD IN THE CITY OF SOUTH EUCLID, OHIO, FOR A MULTI-PURPOSE ATHLETIC FIELD PHASE I; AND DECLARING AN EMERGENCY. FIRST READING.

## 6. MAYOR'S REPORT

## 7. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

3. RESOLUTION 31-13                      AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO ACCEPT DONATION PROPERTIES FROM THE NATIONAL COMMUNITY STABILIZATION TRUST. FIRST READING.

8. LAW DIRECTOR'S REPORT

9. LETTERS AND COMMUNICATIONS

10. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 18-13  
INTRODUCED BY: Miller  
REQUESTED BY: Miller, Icove, Gray, Romeo, Goodman, Fiorelli, Gelfand

March 27, 2013  
Second Reading: May 28, 2013

A RESOLUTION

SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL PROVISION OF POLICE, FIRE, AND OTHER SAFETY SERVICES 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, OHIO; AND DECLARING AN EMERGENCY.

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 provision of police, fire, and other safety services in the City, together with all necessary incidentals and appurtenances thereto, in the amount of \_\_\_\_\_mills for \_\_\_\_\_years.

Section 2: That the question of an additional levy of \_\_\_\_\_mills for the purpose of providing funds for the general provision of police, fire, and other safety services in the City, together with all necessary incidentals and appurtenances thereto, for \_\_\_\_\_ years beginning with the tax list and duplicate for the year \_\_\_\_\_, the proceeds of which levy first would be available to the City in the calendar year \_\_\_\_\_, 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 \_\_\_\_\_, 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 (ADDITIONAL)  
CITY OF SOUTH EUCLID, OHIO

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

AN ADDITIONAL TAX FOR THE BENEFIT OF THE CITY OF SOUTH EUCLID FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL PROVISION OF POLICE, FIRE, AND OTHER SAFETY SERVICES IN THE CITY, TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, AT A RATE NOT EXCEEDING \_\_\_\_\_ MILLS FOR EACH ONE DOLLAR OF VALUATION WHICH AMOUNTS TO \_\_\_\_\_ CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION FOR \_\_\_\_\_ YEARS COMMENCING IN \_\_\_\_\_ FIRST DUE IN CALENDAR YEAR \_\_\_\_\_.

**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 \_\_\_\_\_, 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 May 8, 2013 for consideration at the August 6, 2013 Special Election; August 7, 2013 for consideration at the November 5, 2013 General Election; and November 6, 2013 for consideration at the February 4, 2014 Special Election;** wherefore this Resolution shall take effect and be in force from and immediately after adoption and approval by the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
David B. Miller, President of Council

Attest:

Approved:

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

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

Approved as to form:

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

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 04-13 March 27, 2013  
INTRODUCED BY: Miller Second Reading: May 28, 2013  
REQUESTED BY: Miller, Icove, Gray, Romeo, Goodman, Fiorelli, Gelfand

AN ORDINANCE

TEMPORARILY AMENDING ORDINANCE 171.1901 "SOUTH EUCLID  
RESIDENT SUBJECT TO INCOME TAX IN OTHER MUNICIPALITY" OF  
SECTION 171, "MUNICIPAL INCOME TAX" OF PART ONE  
"ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY  
OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of South Euclid, Ohio recognizes that the City is experiencing budgetary shortfalls effecting the financial stability of the City as a result of the national recession and housing crisis, which has resulted in significant declines in property tax, income tax, Local Government Fund and other revenue sources; and

WHEREAS, the City of South Euclid has an obligation to take temporary measures to protect the health, safety, welfare and future economic stability of the City; and

WHEREAS, the Council of the City of South Euclid can address any such shortfalls by temporarily reducing the income tax credit on taxable income earned in another municipality; and

WHEREAS, the Council of the City of South Euclid recognizes that the income tax credit is an incentive the city is able to offer residents during times of economic stability, however, during periods of severe economic instability, such incentives may not be feasible; and

WHEREAS, it is the intention of the Council of the City of South Euclid that the reduction of the income tax credit incentive is a temporary measure and shall be reinstated in full as of \_\_\_\_\_

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

Section 1: That Ordinance 171.1901, "South Euclid Resident Subject to Income Tax in Other Municipality" is hereby temporarily amended effective \_\_\_\_\_ and shall be reinstated in its entirety as of \_\_\_\_\_ at which time the provisions hereunder shall once again become effective.

Section 2: That Ordinance 171.1901 "South Euclid Resident Subject to Income Tax in Other Municipality" shall read as follows during this period of temporary amendment:

171.1901 SOUTH EUCLID RESIDENT SUBJECT TO  
INCOME TAX IN OTHER MUNICIPALITY.

(a) When the taxable income of a resident of the City is subject to a municipal income tax in another municipality on the same income taxable under this chapter, such resident shall be allowed a credit of the amount of income tax paid on such taxable income to such other municipality, equal to ~~seventy five percent (75%)~~ \_\_\_\_\_ of the amount obtained by multiplying the lower of the tax rate of such other municipality or of the City of South Euclid by the taxable income earned in or attributable to the municipality of employment or business activity, but in any event, such credit shall not be applied to a rate in excess of one percent (1%) of the taxable income earned or attributable to the municipality of employment or business activity. For the purposes of this section, "taxable income", includes the distributive share of net profits of a resident partner or owner of an unincorporated business entity.

(b) A claim for credit or refund under this section shall be made in such manner as the Administrator may by regulation provide. In the event such City resident fails, neglects or refuses to file an annual return or declaration on a form prescribed by the Administrator, he shall

not be entitled to such credit or refund and shall be considered in violation of this chapter for failure to file a return.

(c) Any provision amending Section 171.1901 shall not be passed unless it receives at least five affirmative votes. Any proposed amendment to Section 171.1901 shall be posted on the City Website and e-mailed to all people on the City's E-Mail Newsletter Distribution List. Furthermore, City Council shall not change any provision of Section 171.1901 without first hosting a series of five public meetings, one shall be held for each Ward of the City and one shall be held in the City at large.

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 deemed to be an emergency measure necessary for the immediate preservation of the public peace, health and safety **and for the further reason that there is an immediate need to implement the tax credit reduction and legislation must be passed by June 1, 2013 for the tax credit reduction to take effect during the current calendar year.** Wherefore, this Ordinance shall take effect and be in force upon passage by City Council and signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
David B. Miller, Council President

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.: 05-13 March 27, 2013  
INTRODUCED BY: Miller Second Reading: May 28, 2013  
REQUESTED BY: Miller, Icove, Gray, Romeo, Goodman, Fiorelli, Gelfand

AN ORDINANCE

AMENDING SECTION 171.0501, OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, TITLE NINE "MUNICIPAL INCOME TAX," BY INCREASING THE RATE OF MUNICIPAL INCOME TAX TO ( %) PROVIDING FOR SUBMISSION OF THE AMENDMENT TO THE ELECTORS OF THE CITY OF SOUTH EUCLID; AND DECLARING AN EMERGENCY.

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

Section 1: That it has been determined by the Council of the City of South Euclid that it is necessary that the municipal income tax be increased to ( %) and by reason thereof, in accordance with Section 718.01 of the Ohio Revised Code that said issue be placed on the ballot at the general election of .

Section 2: That Section 171.0501, of the Codified Ordinances of the City of South Euclid, Title Nine, "Municipal Income Tax," be amended by changing the first sentence to read as follows:

"Annual tax for the purposes specified in Section 171.0101 hereof shall be imposed on and after , at the rate of ( %) per annum upon the following:"

"the balance of Section 171.0501 shall remain in full force without modification at this time."

Section 3: That as required by Section 718.01 of the Ohio Revised Code, the amendment specified in Section 2, of this Ordinance shall take effect only if approved by the affirmative vote of the electors of the City of South Euclid who vote on the question at the general election to be held on .

Section 4: That the form of ballot to be given at election on the question of this municipal income tax levy shall be substantially as follows:

PROPOSED INCOME TAX LEVY  
CITY OF SOUTH EUCLID, OHIO

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

SHALL THE ORDINANCE NO. 05-13 PROVIDING FOR A ( %) LEVY ON INCOME FOR GENERAL OPERATING EXPENSES AND FOR SUCH OTHER PURPOSES AS ARE AUTHORIZED BY ORDINANCE BE PASSED?

FOR THE INCOME TAX LEVY

AGAINST THE INCOME TAX LEVY

Section 5: That the Clerk of Council be and he is hereby directed and authorized to give notice and advertise the proposed ballot issue and election in a newspaper of general circulation as required by law.

Section 6: That the Clerk of Council is authorized and directed to certify a copy of this Ordinance immediately after its adoption on or before \_\_\_\_\_, to the Board of Elections of Cuyahoga County, Ohio for the purpose of having the question set forth in Section 4, placed on the ballot in order to submit the income tax levy to the electors of the City of South Euclid, Ohio, at the election to be held on \_\_\_\_\_.

Section 7: That the Amendment to Section 171.0501 shall be effective only upon passage by electors as set forth in this Ordinance on and after \_\_\_\_\_.

Section 8: That no portion of this Ordinance upon passage and approval hereof shall be deemed to impair in any way or affect or release any obligation or liability to pay, declare or withhold taxes or file returns by virtue of Code provisions enacted or in effect, prior to \_\_\_\_\_.

Section 9: 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 10: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason **this Ordinance must be adopted and certified to the Board of Elections on or before May 8, 2013 for consideration at the August 6, 2013 Special Election; August 7, 2013 for consideration at the November 5, 2013 General Election; and November 6, 2013 for consideration at the February 4, 2014 Special Election.** Wherefore, this Ordinance shall take effect and be in full force from and immediately upon its adoption and approval by the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
David B. Miller, President of Council

Attest:

Approved

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

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

Approved as to form:

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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 29-13  
INTRODUCED BY: Miller  
REQUESTED BY: Planning Commission

May 28, 2013

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO 2120 SOUTH GREEN ROAD  
SYNAGOGUE, LOCATED AT 2120 SOUTH GREEN ROAD IN THE CITY  
OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of South Euclid recognizes that various public and private institutions and facilities are essential to the community; and

WHEREAS, the Planning Commission, after careful study, has recommended to Council in a vote of 4-0-0 that a Conditional Use Permit be granted to 2120 South Green Road Synagogue located at 2120 South Green Road; and

WHEREAS, notice of a public hearing on the aforesaid requested Conditional Use Permit has been duly given, and a full public hearing has been held thereon by the Planning Commission pursuant to such notice and as prescribed by law; and

WHEREAS, the Council of the City of South Euclid deems that the aforesaid Conditional Use Permit should be given in that a hardship exists in the land and that the standards set forth in Chapter 722 of the South Euclid Zoning Code have been achieved.

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

Section 1: That a Conditional Use Permit is hereby granted to 2120 South Green Road Synagogue, located at 2120 South Green Road in the City of South Euclid, Ohio, per the following condition:

**Condition 1:** The applicant receives the variances stated in the zoning report from Paul Kowalczyk for both building and parking regulations.

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 declared to be an emergency measure necessary for the preservation of the public peace, health and safety and for the further reason that a vital function of the municipal government is affected thereby. Wherefore, this Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

David B. Miller, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 30-13  
INTRODUCED BY: Miller  
REQUESTED BY: Planning Commission

May 28, 2013

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO NOTRE DAME COLLEGE, LOCATED AT 4545 COLLEGE ROAD IN THE CITY OF SOUTH EUCLID, OHIO, FOR A MULTI-PURPOSE ATHLETIC FIELD PHASE I; AND DECLARING AN EMERGENCY.

WHEREAS, the City of South Euclid recognizes that various public and private institutions and facilities are essential to the community; and

WHEREAS, the Planning Commission, after careful study, has recommended to Council in a vote of 3-1-0 that a Conditional Use Permit be granted to Notre Dame College, 4545 College Road, for a Multi-purpose Athletic Field Phase I; and

WHEREAS, notice of a public hearing on the aforesaid requested Conditional Use Permit has been duly given, and a full public hearing has been held thereon by the Planning Commission pursuant to such notice and as prescribed by law; and

WHEREAS, the Council of the City of South Euclid deems that the aforesaid Conditional Use Permit should be given in that a hardship exists in the land and that the standards set forth in Chapter 722 of the South Euclid Zoning Code have been achieved.

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

Section 1: That a Conditional Use Permit is hereby granted to Notre Dame College, located at 4545 College Road in the City of South Euclid, Ohio, for a Multi-purpose Athletic Field Phase I, per the following conditions:

- Condition 1:** The storm water run-off is a Health, Safety and Welfare issue and per Section 762.05 (1)(2), therefore the final design of the storm water management system and location shall be approved by the City of South Euclid Engineer.
- Condition 2:** Notre Dame shall revise the driveway ingress/egress access on South Green Road to:
- a. The ingress/egress access on South Green Road shall align with the proposed public library ingress/egress access on South Green Road.
  - b. The ingress/egress shall be reconfigured to decrease the total apron width on South Green Road.
  - c. The ingress/egress access on South Green Road shall be implemented per the recommendations and approval of the City of South Euclid Traffic Commissioner.
- Condition 3:** As part of the Phase I development of the multi-purpose athletic field, Notre Dame College will submit design and construction plans to the City of South Euclid Planning Commission, Architectural Review Board, and other appropriate City officials for review and approval for:
- a. The decorative fence located along South Green Road.
  - b. The permanent grandstands.
  - c. Any additional construction of any structures and/or appurtenances associated with the usage of the multi-purpose field.
- Condition 4:** Notre Dame College will comply with the October 24, 2003 Conditional Use Item #1 Signage Requirement.

**Condition 5:** Notre Dame College will apply for a conditional use application for the Phase II review by the South Euclid Planning Commission upon availability of funding for the development of the baseball field.

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 declared to be an emergency measure necessary for the preservation of the public peace, health and safety and for the further reason that a vital function of the municipal government is affected thereby. Wherefore, this Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
David B. Miller, President of Council

Attest:

Approved:

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

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

Approved as to form:

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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 31-13  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

May 28, 2013

A RESOLUTION

AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO  
ACCEPT DONATION PROPERTIES FROM THE  
NATIONAL COMMUNITY STABILIZATION TRUST.

WHEREAS, the Council of the City of South Euclid recognizes the problems associated with foreclosed and abandoned properties within the city; and

WHEREAS, the Council of the City of South Euclid desires to equip the city administration with as many possible tools to address and alleviate the number of foreclosed and abandoned properties within the city; and

WHEREAS, the Council of the City of South Euclid recognizes the mission of the National Community Stabilization Trust is to support local housing providers with the right tools to transform foreclosed and abandoned properties into community assets that increase the stock of affordable home ownership opportunities within the City of South Euclid.

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

Section 1: That the Mayor, or her designee, be hereby authorized to sign for and accept on behalf of the City of South Euclid properties donated from the National Community Stabilization Trust.

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: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the residents and for the further reason that a vital function of government is affected thereby. Wherefore, this Resolution shall take effect upon passage and approval.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
David B. Miller, President of Council

Attest:

Approved:

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

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

Approved as to form:

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