

# THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

June 24, 2013

8:00 PM

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**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

**3. OPEN MEETING**

**4. LEGISLATION REQUESTED BY CITY COUNCIL**

1. RESOLUTION 37-13                      DECLARING THE NECESSITY TO LEVY AN ADDITIONAL TAX OUTSIDE OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL PROVISION OF POLICE, FIRE, AND OTHER SAFETY SERVICES IN THE CITY; AND DECLARING AN EMERGENCY. FIRST READING.

**5. REPORT OF COMMITTEES**

ZONING & PLANNING COMMITTEE

1. ORDINANCE 02-13                      ENACTING NEW SECTION 770.35 (a) OF CHAPTER 770 "SIGN REGULATIONS" OF PART SEVEN "THE PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD READING.**

**6. MAYOR'S REPORT**

**7. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION**

1. RESOLUTION 35-13                      ADOPTING THE FISCAL BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2014. FIRST READING.
2. RESOLUTION 36-13                      AUTHORIZING THE MAYOR TO ENTER INTO A STORMWATER MANAGEMENT PROGRAM SERVICE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR IMPLEMENTATION OF ITS REGIONAL STORMWATER MANAGEMENT PROGRAM. FIRST READING.

**8. LAW DIRECTOR'S REPORT**

**9. LETTERS AND COMMUNICATIONS**

**10. ADJOURN**

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 37-13 June 24, 2013  
INTRODUCED BY: Miller  
REQUESTED BY: Miller, Icove, Gray, Romeo, Goodman, Fiorelli, Gelfand

A RESOLUTION

DECLARING THE NECESSITY TO LEVY AN ADDITIONAL TAX  
OUTSIDE OF THE TEN MILL LIMITATION FOR THE PURPOSE OF  
PROVIDING FUNDS FOR THE GENERAL PROVISION OF  
POLICE, FIRE, AND OTHER SAFETY SERVICES IN THE  
CITY; 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 forces in the city, together with all necessary incidentals and  
appurtenances thereto, pursuant to Ohio Revised Code Section 5705.19. Said levy will  
be an additional three and one-quarter (3.25) mill levy to be in effect for three (3) years  
appearing on the 2013 tax duplicate first due in calendar year 2014.

Section 2: That the County Fiscal Officer is hereby requested to certify to the  
City of South Euclid the total current tax valuation of the City and the dollar amount of  
revenue that would be generated by a three and one-quarter (3.25) mill levy for each of  
the three (3) years in accordance with Section 5705.03 of the Ohio Revised Code.

Section 3: That the Clerk of Council is hereby authorized and directed to give or  
cause to be given a Certified Copy of this Resolution to the County Fiscal Officer of  
Cuyahoga County, Ohio.

Section 4: 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 5: That this Resolution is hereby declared to be an emergency measure  
necessary for the immediate preservation of the public peace, health and safety;  
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.: 02-13  
INTRODUCED BY: Miller  
REQUESTED BY: Planning Commission

February 25, 2013  
Second Reading: March 11, 2013  
Third Reading: June 24, 2013

AN ORDINANCE

ENACTING NEW SECTION 770.35 (a) OF CHAPTER 770 "SIGN REGULATIONS" OF PART SEVEN "THE PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Planning Commission has recommended to Council that new Section 770.35 (a) of Chapter 770 of Title Seven of Part Seven of the Zoning Code be enacted; and

WHEREAS, notice of a public hearing on the aforesaid zoning text amendment has been duly given, and a full public hearing has been held thereon, pursuant to such notice and as prescribed by law; and

WHEREAS, Council deems that the aforesaid zoning text amendment should be made and that the same is conducive to the public health, safety, convenience and general welfare of the City.

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

Section 1: That Section 770.35 (a) of Chapter 770 of Title Seven of Part Seven of the Planning and Zoning Code of the Codified Ordinances of the City of South Euclid be supplemented by enacting new Chapter 770 as follows:

**770.35(a) DEVELOPMENT MONUMENT SIGN.**

**A Development monument sign shall be permitted as an option for the development with multiple tenants and buildings, with a total acreage greater than 10 contiguous acres. The exercise of this option is contingent that no other monument sign which is visible from the public right-of-way shall be erected at any time within the development.**

**A. Restrictions:**

1. *Size-* The sign facing can be shaped in any dimensional configuration, limited by the allowable sign face square footage. The entire sign structure is to allow for the various sign face dimensional configurations, but shall not exceed the maximum structure's stated limitations.  
Maximum Height: Nine (9) feet  
Maximum Width: Sixteen (16) feet.  
Maximum Area: Seventy-two (72) square feet per face. A monument sign may display not more than two (2) faces, located on opposite faces of the sign.
2. *Location-* A monument sign shall be permitted on the development at grade along a street.
3. *Quantity-* One monument sign shall be permitted per development.
4. *Duration-* Restricting time period not applicable when in compliance with this section.
5. *Exemption-* Existing non-conforming monument signs, as of the passage date of this ordinance shall be permitted.
6. *Permit-* The Architectural Review Board shall review and act on applications for the design and construction criteria set forth in Section 770.07, Sign Design and Construction Criteria. The Planning Commission shall review and act on applications for compliance to Section 770.06, Sign Computation, the specific sign regulations, and restrictions.

**B. Applicable Sections:**

- 770.06** Computations
- 770.07** Sign Design and Construction Criteria
- 770.08** Maintenance
- 770.10** Application Requirements

Section 2: That existing Chapters 725, 735 and 745, Sections 1132.07, 1141.01, 1141.02 and 1609.11, and Subsections (89), (90), (91), (92) and (93) of Section 710.08 of the Codified Ordinances of the City of South Euclid, Ohio are hereby repealed.

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 shall take effect and be in force from and after the earliest period by law and upon signature of the Mayor.

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

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

Attest:

Approved:

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

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

Approved as to form:

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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 35-13  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

June 24, 2013

A RESOLUTION

ADOPTING THE FISCAL BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2014.

WHEREAS, the budget for the City of South Euclid, Ohio for the Fiscal Year beginning January 1, 2014 has been prepared in accordance with the requirements of law, and placed on file with the Fiscal Officer; and

WHEREAS, said budget has been available for public inspection for at least ten (10) days by having copies on file in the office of the Fiscal Officer.

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

Section 1: That the budget of the City of South Euclid for the fiscal year beginning January 1, 2014 be and is hereby adopted as the fiscal budget of the City of South Euclid for the fiscal year beginning January 1, 2014.

Section 2: That the Clerk be and he is hereby authorized and directed to certify a copy of said budget and a copy of the Resolution and to transmit the same to the Auditor of Cuyahoga County, Ohio.

Section 3: 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 4: That this Resolution shall take effect from and after the earliest period allowed by law.

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.: 36-13  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

June 24, 2013

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A STORMWATER  
MANAGEMENT PROGRAM SERVICE AGREEMENT WITH THE  
NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR IMPLEMENTATION  
OF ITS REGIONAL STORMWATER MANAGEMENT PROGRAM.

WHEREAS, the Northeast Ohio Regional Sewer District (District), pursuant to the authority of Ohio Revised Code Chapter 6119, and Title V of the District's Stormwater Management Code (Title V), is authorized to provide overall Stormwater Management of the Regional Stormwater System, including planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to Member Communities; and

WHEREAS, the District has been established as a regional governmental entity mandated to operate and maintain a Regional Stormwater System in the general area encompassing fully or partially the City of South Euclid; and

WHEREAS, flooding is a significant threat to public and private property; streambank erosion is a significant threat to public and private property, water quality, wildlife, and aquatic and terrestrial habitats; and inadequate stormwater management damages the water resources of Northeast Ohio, impairing the ability of these waters to sustain ecological and aquatic systems; and

WHEREAS, there is a manifest need for a watershed-based approach to stormwater management to effectively and efficiently plan, design, construct, and maintain long-term solutions to stormwater problems; and

WHEREAS, to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of South Euclid, a Stormwater Service Agreement between the District and the City of South Euclid is required.

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

Section 1: That this Council hereby authorizes the Mayor to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District for implementation of its Regional Stormwater Management Program to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of South Euclid.

Section 2: That the Clerk be and he is hereby authorized and directed to certify a copy of this Resolution and to transmit the same to the Northeast Ohio Regional Sewer District.

Section 3: 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 4: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City and therefore must be adopted by July 22, 2013 in compliance with the terms of the agreement. 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 \_\_\_\_\_, 2013.

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

Attest:

Approved:

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Keith A. Benjamin, Clerk of Council

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Georgine Welo, Mayor

Approved as to form:

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Michael P. Lograsso, Director of Law