

# THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

June 9, 2014

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 26-14 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "POOLS-BUILDINGS & STRUCTURES – FUND #408-3320-52502" IN AN AMOUNT NOT TO EXCEED \$26,000. **SECOND READING.**

2. RESOLUTION 27-14 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "CITY COUNCIL-FUND #101-7730-52799-MISCELLANEOUS" IN AN AMOUNT NOT TO EXCEED \$2,500 FOR THE PURPOSES OF FUNDING THE PURCHASE AND EQUIPMENT AND SERVICES TO PROVIDE LIVE STREAMING OF SOUTH EUCLID CITY COUNCIL MEETINGS. **SECOND READING.**

## **5. LEGISLATION REQUESTED BY THE PLANNING COMMISSION**

1. RESOLUTION 29-14 GRANTING A CONDITIONAL USE PERMIT TO THE FAMILY INTERGENERATIONAL DAYCARE LOCATED AT 4624, 4266 AND 4277 MONTICELLO BOULEVARD IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

2. RESOLUTION 30-14 GRANTING A CONDITIONAL USE PERMIT TO INNER HEALING MINISTRIES CHURCH LOCATED AT 800 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

## **6. MAYOR'S REPORT**

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

1. RESOLUTION 28-14 AUTHORIZING THE MAYOR TO PREPARE AND FILE AN APPLICATION WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDS FOR THE SOUTH GREEN ROAD TRAFFIC SIGNAL UPGRADE PROJECT. FIRST READING.

## **8. LAW DIRECTOR'S REPORT**

## **9. LETTERS AND COMMUNICATIONS**

10. **ADJOURN TO EXECUTIVE SESSION** to discuss pending litigation.

## **11. ADJOURN**

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 26-14  
INTRODUCED BY: Miller  
REQUESTED BY: Fiorelli

May 27, 2014  
As introduced at Recreation Committee  
on April 28, 2014

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "POOLS-BUILDINGS & STRUCTURES – FUND #408-3320-52502" IN AN AMOUNT NOT TO EXCEED \$26,000.

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

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the General Fund in an amount not to exceed \$26,000 to "Pools-Buildings & Structures – Fund # 408-3320-52502".

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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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.: 27-14  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

May 27, 2014  
Second Reading: June 9, 2014

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "CITY COUNCIL - FUND #101-7730-52799- MISCELLANEOUS" IN AN AMOUNT NOT TO EXCEED \$2,500 FOR THE PURPOSES FUNDING THE PURCHASE OF EQUIPMENT AND SERVICES TO PROVIDE LIVE STREAMING OF SOUTH EUCLID CITY COUNCIL MEETINGS.

WHEREAS, the Council of the City of South Euclid wishes to provide live streaming of City Council Meetings for the purposes of increasing public access.

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

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the General Fund in an amount not to exceed \$2,500 to "City Council - Fund #101-7730-52799- Miscellaneous" for the purposes of purchasing equipment and services to provide live streaming of South Euclid City Council Meetings.

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 \_\_\_\_\_, 2014.

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

Attest:

Approved:

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

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

Approved as to form:

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Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 29-14  
INTRODUCED BY: Miller  
REQUESTED BY: Planning Commission

June 9, 2014

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO THE FAMILY INTERGENERATIONAL DAYCARE LOCATED AT 4264, 4266 AND 4277 MONTICELLO BOULEVARD 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 the Family Intergenerational Daycare at 4264, 4266 and 4272 Monticello Boulevard; 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 Family Intergenerational Daycare at 4264, 4266 and 4272 Monticello Boulevard in the City of South Euclid, Ohio, with no conditions.

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 \_\_\_\_\_, 2014.

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

Attest:

Approved:

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Keith A. Benjamin, Clerk of Council

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

Approved as to form:

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Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 30-14  
INTRODUCED BY: Miller  
REQUESTED BY: Planning Commission

June 9, 2014

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO INNER HEALING MINISTRIES CHURCH LOCATED AT 800 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 Inner Healing Ministries Church at 800 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 Inner Healing Ministries Church at 800 South Green Road in the City of South Euclid, Ohio, with no conditions.

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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 28-14  
INTRODUCED BY: Miller  
REQUESTED BY: Mayor

June 9, 2014

A RESOLUTION

AUTHORIZING THE MAYOR TO PREPARE AND FILE AN APPLICATION WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDS FOR THE SOUTH GREEN ROAD TRAFFIC SIGNAL UPGRADE PROJECT.

WHEREAS, the City of South Euclid wishes to seek funding from NOACA for the South Green Road Traffic Signal Upgrade Project and have the project placed on the Transportation Improvement Project (TIP) list as money has been set aside by the United States Congress for CMAQ Projects through the Ohio Department of Transportation (ODOT) to be administered by NOACA; and

WHEREAS, the City of South Euclid can apply for this money, and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

WHEREAS, South Green Road is a vital north-south axis in the City providing linkage between the community, cultural and commercial districts located on the road including the South Euclid Municipal Complex, churches, schools, University Suburban Health Center and Notre Dame College; and

WHEREAS, if funded, the project will upgrade and replace obsolete traffic signal equipment at ten existing signalized intersections on South Green Road between Monticello Boulevard and Cedar Road in the City of South Euclid, and will provide a properly coordinated traffic signal system that will greatly improve vehicular traffic efficiency, thereby reducing congestion, reducing air pollution and improving air quality; and

WHEREAS, if funded, pedestrian accessibility and safety will be enhanced with the provision of Americans with Disabilities Act (ADA) compliant facilities; and

WHEREAS, the South Green Road Traffic Signal Upgrade Project is a transportation activity eligible to receive federal CMAQ funding.

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

Section 1: That the Mayor of the City of South Euclid is hereby empowered on behalf of the City of South Euclid to prepare and execute an application for CMAQ funds for the stated described Project and to submit same to NOACA for consideration of funding by OARC.

Section 2: That the total cost of the project is estimated to be \$2,564,300.00, of which the City of South Euclid, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual cost, estimated to be \$500,860.00. The local portion shall be funded by the City of South Euclid, the city does agree to obligate the necessary funds required to satisfactorily complete the project, and shall pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating costs associated project development activities; or seek alternative federal funds and other non-federal matching funds to pay for the city's required portion of the project.

Section 3: That upon completion of the described Project, and unless otherwise agreed, the City of South Euclid shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4: If the application is approved for funding, the Mayor of the City of South Euclid is hereby empowered on behalf of the City of South Euclid to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

Section 5: That the City will work cooperatively with all affected agencies, enter into cooperative agreements where necessary and will abide by all NOACA policies.

Section 6: That the City of South Euclid hereby requests that NOACA favorably consider and provide assistance for the project identified in the City's application.

Section 7: 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 8: That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the inhabitants of prescribed deadlines. 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 \_\_\_\_\_, 2014.

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

Attest:

Approved:

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

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

Approved as to form:

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Michael P. Lograsso, Director of Law