

**THE CITY OF SOUTH EUCLID
SPECIAL MEETING OF CITY COUNCIL
SCHEDULE OF MEETING
MONDAY AUGUST 3, 2015
8:00 PM**

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. LEGISLATION FROM THE ZONING & PLANNING COMMITTEE

1. ORDINANCE 10-15 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 C-1 "~~LIMITED COMMERCIAL DISTRICT~~" **R-O "RESIDENTIAL-OFFICE DISTRICT."** **THIRD READING.**

4. LEGISLATION REQUESTED BY CITY COUNCIL

1. RESOLUTION 26-15 **AMENDING RESOLUTION 01-15:** SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2015. **FIRST READING.**
2. RESOLUTION 27-15 REGISTERING AN OBJECTION WITH THE OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL CONCERNING THE RENEWAL OF THE LIQUOR PERMIT BELONGING TO 2ND II NONE BAR & GRILL IN THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

5. ADJOURN

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 10-15
INTRODUCED BY: Miller
REQUESTED BY: Mayor

May 11, 2015
As Amended by the Planning Commission: June 25, 2015
Second Reading: July 13, 2015
Third Reading: August 3, 2015

AN 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 ~~C-1 "LIMITED COMMERCIAL DISTRICT"~~ **R-O "RESIDENTIAL-OFFICE DISTRICT."**

WHEREAS, M-R Management, LLC, owners of the former "Young Israel Temple" property located at 14141 Cedar Road, has initiated a request to rezone the hereinafter described property from its existing Class R-50 "One and Two Family District" to a C-1 "Limited Commercial District"; and

WHEREAS, the Planning Commission discussed and considered the request from M-R Management, LLC and held a public hearing on the above matter on June 25, 2015; and

WHEREAS, after the public hearing and further discussion, the Planning Commission, in a 5-0-0 vote, recommended denial to rezone the property C-1 "Limited Commercial District"; and

WHEREAS, the Planning Commission instead recommends City Council consider a less intense zoning classification and recommends the property be rezoned from its existing Class R-50 "One and Two Family District" to R-O "Residential-Office District", so that all future uses of the property would best fit the existing neighborhood and maintain its residential character; and

WHEREAS, the Council of the City of South Euclid, after conducting its due diligence, intends to accept the recommendation of the Planning Commission to rezone the hereinafter described property from its existing Class R-50 "One and Two Family District" to R-O "Residential-Office District."

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

Section 1: That the following pieces of property known as permanent parcel nos. 704-20-045; 704-20-046; 704-20-047; 704-20-048; 704-20-049; 704-20-050; and 704-20-051 which are currently zoned R-50 "One and Two Family District", be rezoned to a ~~C-1 "Limited Commercial District"~~ **R-O "Residential-Office District,"** as recommended by the Planning Commission and confirmed by City Council.

Section 2: 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 meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: 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 a vital function of the municipal government is affected hereby. Wherefore, this Ordinance shall take effect upon passage and approval.

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.: 26-15
INTRODUCED BY: Miller
REQUESTED BY: Gelfand

August 3, 2015

A RESOLUTION

AMENDING RESOLUTION 01-15: SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2015.

WHEREAS, Section 4 of Article II of the Charter of the City of South Euclid, Ohio directs the Council of the City to prescribe by ordinance the number of regular meetings of Council per month as well as the time and place of such meetings; and

WHEREAS, Section 111.01 of the Codified Ordinances of the City of South Euclid states that regular meetings of Council shall take place on the second and fourth Monday of each month, excluding the month of August, at 8:00 p.m. in the Council Chambers of the City Hall; and

WHEREAS, the Council of the City of South Euclid wishes to reschedule the regularly scheduled City Council meetings if and when a City Council meeting falls on an observed holiday and provide the public with an advance schedule of regularly scheduled City Council meetings, adjusted for the observed holidays of 2015; and

WHEREAS, due to the holidays of Rosh Hashanah and Sukkot each lasting for a period of two days, the Council Meeting schedule must be adjusted accordingly.

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

Section 1: That the dates for the regularly scheduled City Council meetings for the year of 2015, for the City of South Euclid, Ohio, shall be as follows:

January 12, 2015
January 26, 2015
February 9, 2015
February 23, 2015
March 9, 2015
March 23, 2015
April 13, 2015
April 27, 2015
May 11, 2015
Tuesday May 26, 2015 (Memorial Day)
June 8, 2015
June 22, 2015
July 13, 2015
July 27, 2015
~~Tuesday September 15, 2015 (Rosh Hashanah)~~
Wednesday September 16, 2015 (Rosh Hashanah)
~~September 28, 2015 Tuesday September 29, 2015 (Sukkot)~~
Wednesday September 30, 2015 (Sukkot)
October 12, 2015
October 26, 2015
November 9, 2015
November 23, 2015
December 14, 2015
December 28, 2015

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 for the public peace, health, and safety and for further reason that a vital function of the municipal government is effected hereby. 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.: 27-15
INTRODUCED BY: Miller
REQUESTED BY: Gray

August 3, 2015

A RESOLUTION

REGISTERING AN OBJECTION WITH THE OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL CONCERNING THE RENEWAL OF THE LIQUOR PERMIT BELONGING TO 2ND II NONE BAR & GRILL IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the City received a notice from the Ohio Department of Commerce Division of Liquor Control stating all permits to sell alcoholic beverages within the municipal boundaries will be expiring October 1, 2015 and are subject to renewal; and

WHEREAS, this notice stated that Ohio Revised Code Section 4303.271(B) provides City Council the right to object to the renewal of a permit and request a hearing prior to September 1, 2015; and

WHEREAS, all objections issued must be based upon the grounds set forth in Ohio Revised Code Section 4303.292(A); and

WHEREAS, the Law Director has determined substantial legal grounds exist within the confines of Ohio Revised Code Section 4303.292(A) to object to the renewal of the liquor permit belonging to 2nd II None Bar & Grill, located at 650 South Green Road; and

WHEREAS, the Police Chief has presented evidence to illustrate the validity of this objection.

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

Section 1: That based upon the grounds set forth in Ohio Revised Code 4303.292(A), City Council wishes to register an objection with the Ohio Department of Commerce Division of Liquor Control concerning the renewal of the liquor permit belonging to 2nd II None Bar & Grill, located at 650 South Green Road in the City of South Euclid, for the following reasons: (1) the permit-holder operating the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, or local ordinances of this state or any other state; and (2) the business is located in a manner with respect to the neighborhood that substantially interferes with public decency, sobriety, peace, or good order.

Section 2: That the Council of the City of South Euclid respectfully requests the hearing concerning this objection be held in the City of Cleveland, Ohio as the County Seat of Cuyahoga County.

Section 3: That the Clerk of Council is hereby authorized and directed to certify a copy of this Resolution and transmit said copy along with a statement of support from the Law Director to the Ohio Department of Commerce Division of Liquor Control by September 1, 2015.

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 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 2nd II None Bar & Grill has proven to be a nuisance and must not be allowed to continue its current operations for the good of the community. 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