

Revised to add Resolution 20-16 (6/24/16)

THE CITY OF SOUTH EUCLID SCHEDULE OF MEETING

June 27, 2016
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. OPEN MEETING

4. REPORT OF COMMITTEES

COMMITTEE OF THE WHOLE

1. RESOLUTION 20-16 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. **THIRD READING.**

ZONING & PLANNING COMMITTEE:

1. ORDINANCE 06-16 ENACTED BY THE CITY OF SOUTH EUCLID, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT. **SECOND READING.**

5. LEGISLATION REQUESTED BY THE PLANNING COMMISSION

1. RESOLUTION 30-16 GRANTING A CONDITIONAL USE PERMIT TO "BRENDA'S BABIES" DAYCARE, LOCATED AT 533 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

6. MAYOR'S REPORT

7. LEGISLATION REQUESTED BY THE MAYOR AND ADMINISTRATION

1. RESOLUTION 31-16 AUTHORIZING THE TRANSFER OF FUNDS FROM THE "GENERAL FUND #101" TO THE "CAPITAL PROJECTS FUND #408." FIRST READING.
2. RESOLUTION 32-16 AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "FIRE DEPARTMENT CAPITAL IMPROVEMENTS FUND #408-1120-52502" IN AN AMOUNT OF \$6,000.00 FOR REPAIRS TO THE FIRE DEPARTMENT VEHICLE EXHAUST EXTRACTION SYSTEM. FIRST READING.
3. ORDINANCE 07-16 DESIGNATING CERTAIN FINANCIAL INSTITUTIONS AS A DEPOSITORY FOR THE ACTIVE AND INTERIM FUNDS OF THE CITY OF SOUTH EUCLID FOR THE PERIOD OF FIVE (5) YEARS FROM SEPTEMBER 6, 2016. FIRST READING.

8. LAW DIRECTOR'S REPORT

9. LETTERS AND COMMUNICATIONS

10. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 20-16
INTRODUCED BY: Goodman
REQUESTED BY: Fiorelli

May 23, 2016
Second Reading: June 13, 2016

A RESOLUTION

DECLARING THE NECESSITY TO LEVY A [REDACTED] 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 [REDACTED] a three and one-quarter (3.25) mill levy which expired December 31, 2015 with a [REDACTED] mill levy to be in effect for [REDACTED] years appearing on the 2016 tax duplicate first due in calendar year 2017.

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 [REDACTED] mill levy for each of the [REDACTED] 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 _____, 2016.

Jane Goodman, 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.: 06-16
INTRODUCED BY: Goodman
REQUESTED BY: Mayor

June 13, 2016
Second Reading: June 27, 2016

AN ORDINANCE

ENACTED BY THE CITY OF SOUTH EUCLID, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT.

WHEREAS, the State of Ohio Department of Transportation (the STATE), has identified the need for the described project:

Improve the pedestrian and bicycle access for school children within the South Euclid-Lyndhurst School District in the City of South Euclid.

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

Section 1: That being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

Section 2: That the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA agrees to assume and contribute the entire cost and expense of the improvement less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation.

The LPA agrees to assume and contribute one hundred percent (100%) of the cost of any work included in the construction contract, at the request of the LPA, which is determined by the Director not to be a part of or made necessary by the improvement.

Section 3: The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 5: 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 6: That this Ordinance is hereby declared to be an emergency measure necessary to be in force immediately upon its passage to implement the Safe Routes to School Project. 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 _____, 2016.

Jane Goodman, President of Council

Attest:

Approved:

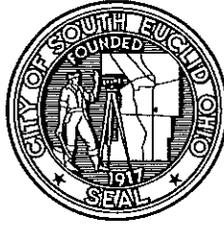
Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID



PLANNING COMMISSION

June 15, 2016

Jane Goodman, President of Council
City of South Euclid
1349 South Green Road
South Euclid, Ohio 44121

Dear Council President Goodman,

The Planning Commission on May 26, 2016 voted (4-0) to recommend approval of the application for a conditional use for "Brenda's Babies" Daycare at the property located at 533 South Green Road.

If you have any questions, please let me know.

Respectfully,

A handwritten signature in black ink, appearing to read 'Neil R. Weeks'.

Neil R. Weeks
South Euclid Planning Commission

Cc: Georgine Welo, Mayor
Michael Lograsso, Law Director
Paul Kowalczyk, Building Commissioner
South Euclid City Council Members
Planning Commission Members

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 30-16
INTRODUCED BY: Goodman
REQUESTED BY: Planning Commission

June 27, 2015

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO "BRENDA'S BABIES" DAYCARE, LOCATED AT 533 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

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 "Brenda's Babies" Daycare located at 533 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 732 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 "Brenda's Babies" Daycare, located at 533 South Green Road in the City of South Euclid, Ohio, per the following condition:

Condition 1: All requirements for daycare establishments, as defined in Chapter 732 of the South Euclid Zoning Code shall be followed at all times.

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: 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 _____, 2016.

Jane Goodman, 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.: 31-16
INTRODUCED BY: Goodman
REQUESTED BY: Mayor

June 27, 2016

A RESOLUTION

AUTHORIZING THE TRANSFER OF FUNDS FROM THE "GENERAL FUND #101" TO THE "CAPITAL PROJECTS FUND #408."

WHEREAS, City Council passed Resolution 14-16 on May 9, 2016 appropriating funds in the amount of \$6,000 in the "Capital Projects Fund #408" for the Fire Department Vehicle Exhaust System; and

WHEREAS, these funds must be first transferred from the "General Fund #101" to the "Capital Projects Fund #408" prior to being expended; and

WHEREAS, the Ohio Revised Code requires legislation to transfer money between funds.

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 transfer funds from the "General Fund #101" to the "Capital Projects Fund #408" in the amount of \$6,000.00 for the Fire Department Vehicle Exhaust System.

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 _____, 2016.

Jane Goodman, 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.: 32-16
INTRODUCED BY: Goodman
REQUESTED BY: Mayor

June 27, 2016

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "FIRE DEPARTMENT CAPITAL IMPROVEMENTS FUND #408-1120-52502" IN AN AMOUNT OF \$6,000.00 FOR REPAIRS TO THE FIRE DEPARTMENT VEHICLE EXHAUST EXTRACTION SYSTEM.

WHEREAS, the South Euclid Fire Department is requesting funds for repairs to the Vehicle Exhaust Extraction System in an amount not to exceed \$6,000; and

WHEREAS, Resolution 31-16 passed by City Council authorizes the transfer of the above amount from the General Fund #101 to the Capital Projects Fund #408 to be used for this purpose; and

WHEREAS, recent studies confirm the connection between firefighting and cancer is real and exposure to particulate diesel exhaust; and

WHEREAS, the current system installed over 20 years ago needs to be repaired and upgraded to help prevent exposure to cancer causing particulates.

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 "Capital Improvements Fund #408-1120-52502" in an amount of \$6,000.00 for the repair and upgrade of the Fire Department Vehicle Exhaust Extraction System.

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 _____, 2016.

Jane Goodman, 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.: 07-16
INTRODUCED BY: Goodman
REQUESTED BY: Mayor

June 27, 2016

AN ORDINANCE

DESIGNATING CERTAIN FINANCIAL INSTITUTIONS AS A DEPOSITORY FOR THE ACTIVE AND INTERIM FUNDS OF THE CITY OF SOUTH EUCLID FOR THE PERIOD OF FIVE (5) YEARS FROM SEPTEMBER 6, 2016.

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

Section 1: That the applications of Citizens Bank, Fifth Third Bank, First Merit Bank, Huntington National Bank, JP Morgan Chase Bank, Key Bank, and PNC Bank to become depositories of the active and interim funds of the City for a period of Five (5) years commencing September 6, 2016, be accepted, and the Director of Finance is hereby directed to deposit the active and interim funds of the City in said designated depositories upon receiving from said institutions the amount and character of security as required by law.

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 meetings 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 for the public peace, health, safety, and welfare and for further reason that a vital function of the municipal government is effected hereby. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2016.

Jane Goodman, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law