

**THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
DECEMBER 27, 2018
8:00 PM**

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. MINUTES OF MEETINGS: DECEMBER 10, 2018

4. REPORT OF MAYOR

5. REPORT OF LAW DIRECTOR & DEPARTMENTAL HEADS

6. REPORT OF SCHOOL DISTRICT (1st Meeting of Month Only)

7. PUBLIC HEARINGS (OPEN MEETING) RELATED TO AGENDA ITEMS

8. REPORT OF COMMITTEES

1. RESOLUTION 17-16 ADOPTING AND APPROVING THE COMPREHENSIVE MASTER PLAN FOR THE CITY OF SOUTH EUCLID, OHIO. **THIRD READING.**

2. ORDINANCE 01-17 AMENDING SECTIONS 726.05 "WALLS AND FENCES"; 761.02 "CITY ARCHITECT"; 761.04 "ZONING AND BUILDING STANDARDS BOARD OF APPEALS; APPEALS; VARIANCES"; 761.06 "ARCHITECTURAL REVIEW BOARD; POWERS AND DUTIES; APPOINTMENT; TERMS; MEMBERSHIP"; 762.03 "APPROVAL BY CITY ARCHITECT REQUIRED"; AND 762.12 "REVIEW OF BUILDING PERMIT APPLICATIONS BY ARCHITECTURAL REVIEW BOARD" OF PART SEVEN "PLANNING & ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD READING.**

9. LEGISLATION REQUESTED BY THE PLANNING COMMISSION

1. RESOLUTION 75-18 GRANTING A CONDITIONAL USE PERMIT TO "OPEN HANDS ADULT SUPPORT SERVICES" LOCATED AT 533 SOUTH GREEN ROAD IN THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

2. RESOLUTION 76-18 GRANTING A CONDITIONAL USE PERMIT TO "CHASE BANK" LOCATED AT 14133 CEDAR ROAD IN THE CITY OF SOUTH EUCLID. **FIRST READING.**

10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION.

1. RESOLUTION 77-18 AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2019 STREET RESURFACING PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. **FIRST READING.**

2. RESOLUTION 78-18 AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE SHIRLEY-BILTAMY ROAD INFRASTRUCTURE PROJECT IN THE CITY OF SOUTH EUCLID; OHIO; AND DECLARING AN EMERGENCY. **FIRST READING.**

- 3. RESOLUTION 79-18 AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE WESTDALE ROAD INFRASTRUCTURE PROJECT IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.
- 4. RESOLUTION 80-18 EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2018. FIRST READING.
- 5. RESOLUTION 81-18 SETTING THE DATE FOR THE FIRST REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2019. FIRST READING.
- 6. ORDINANCE 34-18 AMENDING SECTION 172.06 "CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES" OF CHAPTER 172 "MUNICIPAL INCOME TAX EFFECTIVE BEGINNING JANUARY 1, 2016" OF TITLE IX "TAXATION" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRS READING.
- 7. ORDINANCE 35-18 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018; AND DECLARING AN EMERGENCY. FIRST READING.

11. PUBLIC HEARINGS (OPEN MEETING) RELATED TO OPEN BUSINESS

12. COMMUNICATIONS OF CITY COUNCIL

13. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 17-16
INTRODUCED BY: Goodman
REQUESTED BY: Planning Commission

May 9, 2016
Second Reading: January 5, 2018
Third Reading: December 27, 2018

A RESOLUTION

ADOPTING AND APPROVING THE ~~2015-2016~~ 2018 COMPREHENSIVE MASTER PLAN FOR THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, this Comprehensive Plan serves a critical role in allowing the City to maintain a balanced tax base, provide economic development, and provide ongoing techniques to assure sustained marketability of the City's existing land uses with respect to property maintenance, avoiding or eliminating obsolescence, suitable infrastructure, community facilities, city services, and private support services including retail, churches and recreation; and

WHEREAS, the Planning Commission performed a thorough review of this Comprehensive Plan and has recommended the adoption of the new Comprehensive Master Plan by City Council.

WHEREAS, the Comprehensive Plan was originally drafted with the assistance of Planning Consultants McKenna and Associates through a Community Development Block Grant provided by Cuyahoga County; and

WHEREAS, in 2017 the City contracted with the Cuyahoga County Planning Commission to further detail recommendations regarding the implementation of the Plan, which was created through extensive community engagement; and

WHEREAS, the 2017 South Euclid Master Plan "Implementation Plan" shall be incorporated as a subsection of the South Euclid Master Plan approved by the Planning Commission in 2015.

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 does hereby adopt and approve the new South Euclid Comprehensive Master Plan, as recommended by the Planning Commission and contained herein as Exhibit A (a copy of which is attached hereto).

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~~ 2018.

Dennis Fiorelli, 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.: 01-17
INTRODUCED BY: Goodman
REQUESTED BY: Russell

February 23, 2017
Second Reading: March 27, 2017
As Amended by the Planning Commission:
April 13, 2017
Revised by Zoning & Planning Committee:
June 26, 2017
Third Reading: December 27, 2018

AN ORDINANCE

AMENDING SECTIONS 726.05 "WALLS AND FENCES"; 761.02 "CITY ARCHITECT"; 761.04 "ZONING AND BUILDING STANDARDS BOARD OF APPEALS; APPEALS; VARIANCES"; 761.06 "ARCHITECTURAL REVIEW BOARD; POWERS AND DUTIES; APPOINTMENT; TERMS; MEMBERSHIP"; 762.03 "APPROVAL BY CITY ARCHITECT REQUIRED"; AND 762.12 "REVIEW OF BUILDING PERMIT APPLICATIONS BY ARCHITECTURAL REVIEW BOARD" OF PART SEVEN "PLANNING & ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid desires to modify portions of the Planning & Zoning Code to allow for increased effectiveness in governance.

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

Section 1: That Sections 726.05 "Walls and Fences"; 761.02 "City Architect"; 761.04 "Zoning and Building Standards Board of Appeals; Appeals; Variances"; 761.06 "Architectural Review Board; Powers and Duties; Appointment; Terms; Membership"; 762.03 "Approval by City Architect Required"; and 762.12 "Review of building permit applications by Architectural Review Board" of Part Seven "Planning & Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

726.05 WALLS AND FENCES.

(a) Definitions. For the purpose of this section the following definitions shall apply:

(1) "Decorative walls and fences". Any various permanent upright construction of permitted materials, that is not designed as a barrier to enclose an area, yard, etc., attached to a principal structure, used to prevent entrance, intended to create the impression of privacy, or to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

(2) "Walls and fences". Any various permanent upright constructions used as a barrier to enclose or border an area, yard, etc., which is used to prevent entrance, to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

(b) Restrictions.

(1) Height.

A. Rear yard maximum height. Six feet to the rear face of the principal structure. (See Figure 1.)

B. Side yard maximum height. No higher than the distance from the existing principal structure on property or the adjacent property, with a six foot limitation. (See Figure 2.)

C. Post height. Six feet six inches to accommodate decorative top. (See Figure 1.)

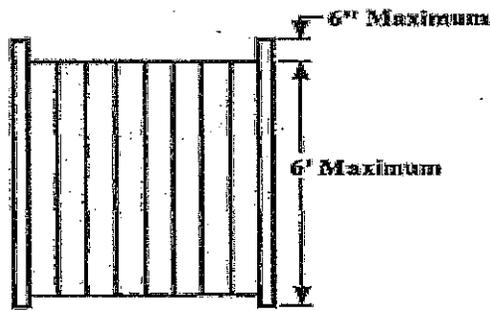


Figure 1

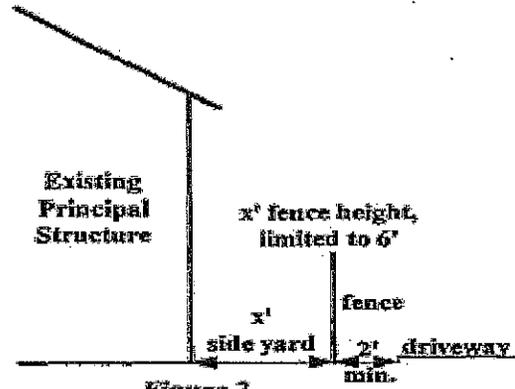


Figure 2

(2) Location.

- A. No wall or fence shall be located in a front yard or from the front building setback line to the right-of-way line. (See Figure 3.)
- B. No wall or fence shall be located in any side yard within two feet of an adjacent neighbor's driveway. (See Figure 2.)
- C. An extension of the fence to provide closure to the building shall be permitted.

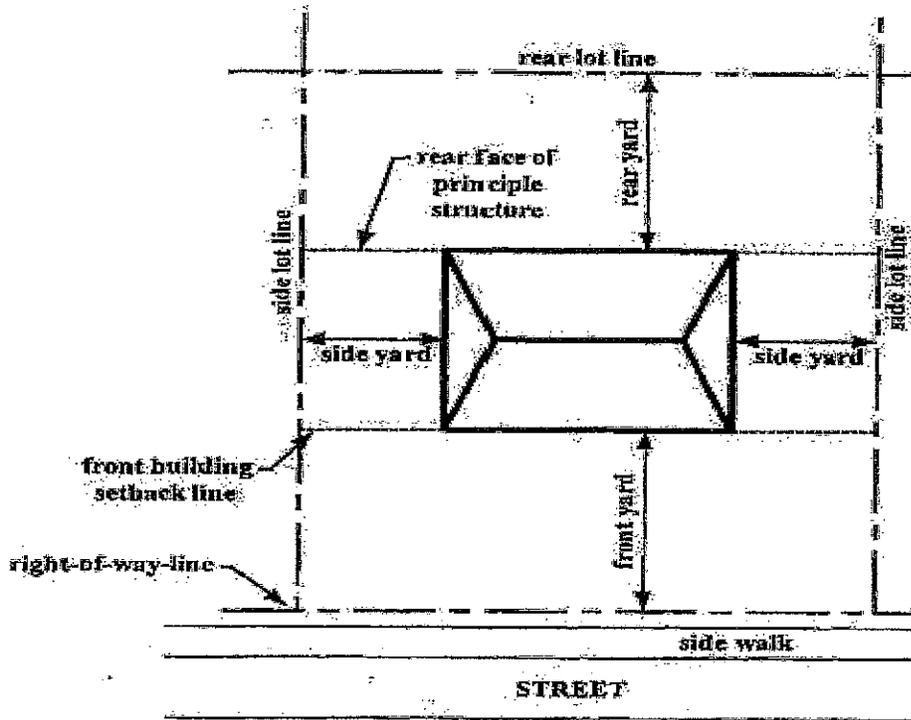


Figure 3

(3) Exemption.

A. Corner lots, walls and fences are permitted in rear and side yards and may extend from the rear lot line to the front building setback line, but not beyond the street side yard setback. (See Figure 4.)

B. In this section, principal structure shall not include patio, deck, open or seasonal porch or similar addition.

C. A decorative wall or fence is permitted in a front yard or from the front building setback line to the right-of-way line and shall not enclose an area, yard, etc., be attached to a principal structure, used to prevent entrance, or intended to create the impression of privacy, such as but not limited to the full width of the property's right-of-way line. The following restrictions shall apply to decorative walls or fences.

1. The height of the decorative wall or fence shall not exceed 36 inches.
2. The decorative wall or fence shall be a minimum of three feet from the sidewalk, or if no sidewalk exists then the right-of-way line or side lot line.
3. The decorative wall or fence shall be parallel to or follow the contour of the sidewalk, right-of-way line or side lot line.
4. The decorative wall or fence's maximum permitted linear footage shall not be greater than 60% of the right-of-way line. (See Figure 4.)
5. No gates shall be installed in the decorative wall or fence.

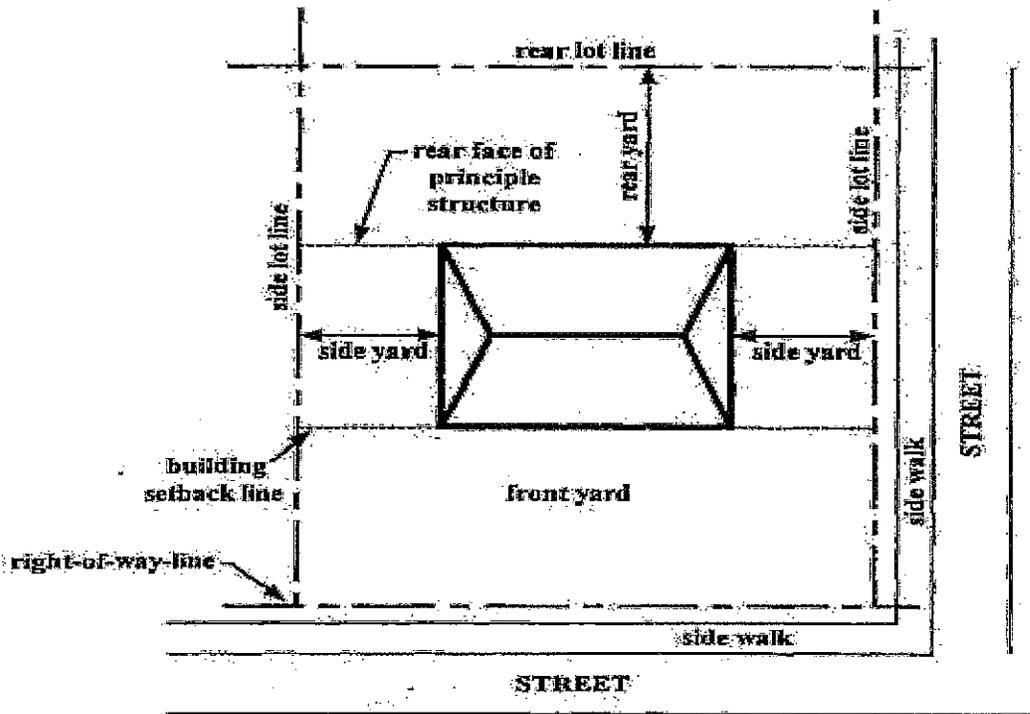


Figure 4

(4) Quality. The finished side of the fence shall face the neighboring property and be of uniform type.

(5) Construction.

A. Walls and fences. Masonry material such as but not limited to brick, concrete, stone, stucco, or grill block, or of either wood, metal or vinyl, including open diamond mesh fabric, chain link, picket,

board on board, ornamental wood, ornamental vinyl or ornamental metal, split rail or stockade type. The wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

B. Decorative walls and fences. Materials limited to split rail, ornamental metal, ornamental wood, or ornamental vinyl shall be permitted. The decorative wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

(6) Maintenance. The property owner or occupant shall maintain all walls and fences in good condition at all times.

(7) Prohibited.

A. Snow fencing, burlap, vinyl fabric or chicken wire or similar type material are not permitted as permanent fence materials.

B. Snow fence posts shall not be permitted as a permanent fence material.

C. No fence or wall shall be electrically charged or made of any sharp-edged materials, barbed wire, razor wire, chicken wire or fiberglass.

(8) Permit.

A. All walls or fences in accordance with this section shall require a permit.

B. If requested by the Zoning Administrator, the application shall receive approval from the City-Architect **Architectural Review Board** prior to issuance of the permit.

C. The Zoning Administrator may require the applicant to provide appropriate documentation verifying the location of property line(s).

~~761.02 CITY ARCHITECT.~~

~~—(a) In keeping with its general policy of encouraging the best possible development of the City of South Euclid, the City Council feels that it is essential to the economic soundness and welfare of the City that the attractiveness of all areas be enhanced and protected. The economic and social welfare of the City requires reasonable controls over the character, design, placement and relationship of buildings and structures, and over the orderly and harmonious development of all areas. Therefore, it is declared to be the policy of the City of South Euclid that reasonable control over the character and design of buildings and structures is essential for the protection of the public health, safety, morals, comfort, prosperity and general welfare.~~

~~—(b) The City Architect shall have the following specific powers and duties:~~

~~—(1) Examine site and building plans for all one-family, and two-family detached residences, and improvements pertinent thereto, within the City and approve, disapprove, or approve with modifications, such plans in accordance with the standards set forth in Section 762.03 of this Planning and Zoning Code. Incidental to such examination an authorized representative of the City may enter into and upon any structure or land and cause the same to be inspected or examined. No building permit or certificate of occupancy shall be issued until plans for such building, structure, use or occupancy have been approved by the City Architect, and only in accordance with the terms of such approval.~~

~~—(2) The City Architect shall provide for a detailed report on all his or her proceedings and shall submit a copy of his or her recommendations to the Zoning Administrator.~~

~~—(c) The City Architect shall be an architect registered in the State and shall be appointed by the Mayor for a term of two years, or until the City Architect's successor shall be appointed and shall qualify. The Mayor shall also appoint alternate architects, not to exceed three in number, each of whom shall likewise be a registered architect, who shall, during the term of the City Architect, and when and as requested by the Zoning Administrator, carry out the duties of such office with respect to any matter in which the City Architect is personally interested, or whenever the City Architect is absent or unavailable. Such appointments shall be subject to confirmation by Council within forty-five days, provided, however, that if Council fails to act within such time, such appointments shall thereupon become effective.~~

~~—(d) The Zoning Administrator shall determine the schedule of public meetings (so that applications can be processed expeditiously) at which the City Architect shall participate.~~

~~—(e) No person appointed to the position of City Architect shall participate in the review of, or give advice upon, any work in which he or she or his or her partner or professional associate has any direct or indirect interest.~~

~~—(f) If the City Architect shall fail to act within the time limit provided in Section 762.03(f), the Zoning Administrator shall then consider the application as having been recommended for approval by the City Architect.~~

761.04 ZONING AND BUILDING STANDARDS BOARD OF APPEALS; APPEALS; VARIANCES.

The Zoning and Building Standards Board of Appeals is established by the City Charter to hear and decide appeals for exceptions to and variances from the application of ordinances, orders or regulations of officials or agencies governing building and zoning in the Municipality in conformity with the intent and purposes thereof, and in conformance with the procedures established in this Title. With reference to this Planning and Zoning Code, the Board of Appeals is a body of limited jurisdiction with the following specific powers and duties:

(a) Upon appeal by the owner of record title from an adverse decision, the Board of Appeals shall decide any question involving an interpretation of any provision of this Code, provided that the following standards are not exceeded:

(1) Upon appeal by the property owner from the provisions of this Code relating to the number of off-street parking spaces, a variance may be granted on the minimum number of off-street parking spaces required, but such variance shall not exceed more than twenty-five percent of such requirement.

(2) Upon appeal by the property owner from the provisions of Section 772.06 relating to the height of a garage door, a variance may be granted on the height of the door, but such variance shall not exceed eighteen inches of such requirement.

(3) Upon appeal by the property owner from the provisions of Chapter 770 relating to any dimensional limitation (i.e. linear, square footage, percent of an area, etc.), a variance may be granted but shall not exceed fifteen percent of such dimensional limitation. Furthermore, in variance appeals from the provisions of Chapter 770 that present conflicts, whichever restriction(s) are more restrictive or impose higher standards shall govern.

(b) Upon appeal from a decision of the Zoning Administrator denying an application for a building permit or certificate of occupancy, the Board of Appeals may vary or adapt the strict application of any of the requirements of this Code in the case of exceptionally irregular, narrow, shallow or steep lots, riparian and/or wetland area function, or other exceptional physical conditions, when strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other cases. Loss of profit and financial difficulties are not hardships. No variance shall be granted by the Board of Appeals unless it finds:

(1) That there are special circumstances or conditions, fully described in the findings of the Board of Appeals, applying to such land or building and not applying generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that strict application of the provisions of this Code would deprive the applicant of the reasonable use of such land or building.

(2) That, for reasons fully set forth in the findings of the Board of Appeals, the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board of Appeals is the minimum variance that will accomplish this purpose.

(3) That the granting of the variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

In granting any variance, the Board of Appeals shall prescribe any conditions that it deems to be necessary or desirable.

(c) Upon appeal from a decision of the Zoning Administrator denying an application for a building permit or certificate of occupancy, the Board of Appeals may vary or adapt the strict application of Chapter 780 when strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other cases. Loss of profit and financial difficulties are not hardships.

(1) In making a variance determination, the Board of Appeals shall consider the following:

A. Varying the front, rear and side yard setback before the riparian and wetland setbacks are varied. The structure's overall footprint shall not exceed what would be permitted on the property if the riparian and wetlands setback were not in effect.

B. Variances should not be granted for asphalt or concrete paving in the riparian and wetland setbacks in any situation where gravel or porous pavement (i.e., porous pavers, and similar products) in accordance with Building Code.

(2) In making a variance determination, the City of South Euclid may consider the following:

A. The soil type natural vegetation of the parcel, as well as the percentage of the parcel that is in the 100-year floodplain. The criteria of the City of South Euclid's flood damage prevention regulations may be used as guidance when granting variances in the 100-year floodplain.

B. The extent to which the requested variance impairs the flood control, soil erosion control, sediment control, water quality protection, or other functions of the riparian and/or wetland area. This determination shall be based on sufficient technical and scientific data and written approval of such determination from the City Engineer or designee.

C. The degree of hardship this regulation places on the landowner, and the availability of alternatives to the proposed activity.

D. Soil disturbing activities permitted in a riparian and/or wetland setback through variances should be implemented in order to minimize clearing to the extent possible, and to include Best Management Practices necessary to minimize soil erosion and maximize sediment control.

E. The presence of significant impervious cover, or smooth vegetation such as maintained lawns, in riparian setback areas compromises their benefits to the City of South Euclid.

F. A reduction in storm water infiltration into the soil in wetland areas will occur.

G. A requested above ground fence does not increase the existing area of mowed grass or lawn.

H. Modifying parking requirements before varying the riparian setback.

I. Modifying building shape, size or design to avoid or minimize intrusion into the riparian setback.

J. In the case of a lot made unbuildable by Chapter 780, consider the minimum variance needed to make it buildable for an appropriately sized and compatibly designed structure, while following the guidance provided in this section.

K. Whether the variance will increase the likelihood for flood or erosion damage to either the applicant's property or to other properties.

L. Culvert of watercourses should be avoided.

M. Whether the variance will result in the need for artificial slope or bank stabilization measures that could interfere with the function of the riparian zone.

(3) When a variance is granted that results in a loss of riparian or wetland function, that loss must be mitigated according to the following:

A. If the loss will result in increased flooding, stream bank erosion, or in-stream sedimentation, the loss shall be mitigated at the site or upstream of the site in the same watershed.

B. If biological functions are the only loss, mitigation will occur upstream whenever feasible; if not, a downstream site will be sought. If no suitable mitigation sites can be found on the affected stream, a site located anywhere in the Community shall be selected.

C. All wetland losses must be mitigated upstream of the disturbed location.

D. Mitigation of riparian and wetland setback losses shall consist of a minimum of 150% of the area disturbed by the variance granted.

E. Mitigation of actual wetland losses shall be at the rate of 150% of the area lost by the variance granted.

F. Mitigation of wetland setback losses can occur at any previously impacted site in the community or in an upstream tributary area outside of the community.

G. Prior to granting any variance that results in a loss of riparian or wetland function or wetland area, the applicant must submit a statement that identifies all requested losses, an evaluation of mitigation needs, and documentation of the planned mitigation to offset the losses; this statement will be submitted to Ohio EPA as part of the Community's Annual Storm Water Program Report.

H. Prior to granting any variance that results in a loss of riparian or wetland function or wetland area, the applicant must submit a statement that legally binds the applicant to complete, at his or her personal expense, any future mitigation, and to pay any penalties or fines that may be assessed or assigned to the community by any regulatory authority relative to the granting of any of the applicant's requested variances under this section.

I. Completion of all mitigation projects resulting from the granting of variances under this section shall be completed before any construction or maintenance guarantee for the project can be released.

(d) The Board of Appeals shall not have jurisdiction to hear an appeal or grant a variance in the following cases:

(1) From the uses specifically permitted in each zoning district except as may be provided in this Title;

(2) From the decision of the Planning Commission or Council regarding any conditional use;

(3) From the decision regarding a subdivision or application for a subdivision unless the Planning Commission grants permission for the applicant to submit a request for a variance to the Board of Appeals after the Planning Commission makes its recommendation;

(4) From the decision regarding a conditional use or application for a conditional use unless the Planning Commission grants permission for the applicant to submit a request for a variance to the Board of Appeals after the Planning Commission makes a recommendation and before Council takes action; or

~~(5) From any decision of the City Architect, as provided for in this Code; or~~

(5) From any decision of the Architectural Review Board, as provided for in this Code.

(e) The Board of Appeals shall not take any action which would effect a change in any district boundary.

(f) The Board of Appeals shall hold public hearings in accordance with the provisions of this Title.

(g) (1) A quorum shall consist of three members, and the concurring vote of three members of the Board of Appeals shall be necessary to decide any appeal or grant any variance. If the Board of Appeals shall fail to take action within 45 days after completion of the hearing, the determination of the Zoning Administrator shall be final and the appeal or variance denied.

(2) A member of the Board of Appeals shall not be qualified to vote if he or she has a direct or indirect interest in the issue appealed or the variance being considered.

(h) The Board of Appeals shall subpoena and require the attendance of witnesses at meetings or hearings, administer oaths, compel testimony and produce reports, findings and other evidence pertinent to any issue before the Board of Appeals.

761.06 ARCHITECTURAL REVIEW BOARD; POWERS AND DUTIES; APPOINTMENT; TERMS; MEMBERSHIP.

(a) In keeping with its general policy of encouraging the best possible development of the City, the Council feels that it is essential to the economic soundness and welfare of the City that the attractiveness of all areas be enhanced and protected. The economic and social welfare of the City requires reasonable controls over the character, design, placement and relationship of buildings and structures, and over the orderly and harmonious development of all areas. Therefore, it is declared to be the policy of the City that reasonable control over the character and design of buildings and structures is essential for the protection of the public health, safety, comfort, prosperity and general welfare.

(b) The Architectural Review Board shall have the following specific powers and duties:

(1) Review, report and make findings for ~~planned-unit-development, multi-family-uses, uses in Commercial Districts and uses in Manufacturing Districts~~ **any building permit application which** proposed to be constructed, developed, **cause to be** occupied, moved, or altered **any structure** within the City and approve, disapprove or approve with modifications, such plans in accordance with the standards set forth in Section 762.12.

(2) Provide a detailed report on all proceedings and submit a copy of its findings to the Zoning Administrator.

(c) The Mayor shall appoint Architectural Review Board members for staggered terms of six years. One member shall be **an AIA certified architect** ~~the City Architect pursuant to Section 761.02;~~ the second **and third members** shall be **a ASLA certified landscape architect, architect, or registered engineer or a person skilled in the general field of aesthetics and design;** ~~the third shall be a person skilled in the general field of aesthetics and design;~~ and the fourth shall be a duly qualified elector of the City. There shall be a Chairman of the Board appointed by the Mayor from the four Board members.

(d) The Zoning Administrator shall determine the schedule of public meetings (so that applications can be processed expeditiously) at which the Architectural Review Board shall participate.

(e) No person appointed to the Architectural Review Board shall participate in the review of, or give advice upon, any work in which he or she, or his or her, partners or professional associate(s), have any direct or indirect interest.

(f) ~~If the Architectural Review Board shall fail to act within the time limit provided in Section 762.12(e), the Zoning Administrator shall then consider the application as having been recommended for approval by the Architectural Review Board.~~ **No application for a building permit or certificate of occupancy which proposes to construct, develop, cause to be occupied, move, or alter any structure within the City shall be approved and issued by the Zoning Administrator unless it is first approved by the Architectural Review Board in accordance with the procedures set forth in 762.01 and 762.02.**

~~762.03 APPROVAL BY CITY ARCHITECT REQUIRED.~~

~~(a) No application for a building permit or certificate of occupancy for all one-family and two-family detached residences, and improvements pertinent thereto, shall be approved and issued by the Zoning Administrator unless it is first approved by the City Architect in accordance with the procedures set forth in Sections 762.01 and 762.02.~~

~~(b) Within five days of the acceptance of an application for a building permit for all one-family and two-family detached residences, and improvements pertinent thereto, the Zoning Administrator shall submit to the City Architect one copy of all documents and drawings submitted with the application as required by Section 762.01.~~

~~(c) In making his or her decision, the City Architect shall consider the following:~~

~~(1) The overall exterior appearance of any proposed building or structure.~~

~~(2) The height, bulk and scale of any proposed building or structure with respect to buildings or structures in the immediate area.~~

~~(3) The exterior materials, colors and textures of any proposed building or structure with respect to the compatibility of such materials, colors and textures with, and the relationship of such materials, colors and textures to, other buildings and structures within the immediate area.~~

~~(4) The arrangement and location of any proposed buildings, structures or uses on the site, as well as their relationship to other buildings and structures within the immediate area.~~

~~(5) The character, appearance and scale of any proposed landscaping or plantings for decorative or screening purposes~~

~~(6) All other factors that affect the appearance of the site and the area.~~

~~(d) The City Architect shall endeavor to insure that the exterior appearance of all buildings, structures or uses will:~~

~~(1) Enhance the attractiveness and desirability of the area in keeping with its purpose and intent;~~

~~—(2) Encourage the orderly and harmonious development of the area in keeping with its character;~~

~~—(3) Improve residential amenities; and~~

~~—(4) Enhance and protect the public and private investment and the value of all land and improvements within the area.~~

~~—(e) The City Architect shall not attempt to prescribe the style of architecture as long as the architectural style and design under consideration meet the standards set forth above.~~

~~—(f) The City Architect shall submit his or her findings to the Zoning Administrator, in writing, within seven days for work of a minor nature, such as residential alterations, additions or accessory structures, and within fifteen days of the date of acceptance of the application by the Zoning Administrator for all other work, and such findings shall be recorded by the Zoning Administrator.~~

~~—(g) The City Architect shall receive one copy of any application for a certificate of occupancy and shall review such application and inspect the site and any buildings or structures for which the certificate of occupancy is sought for architectural conformance to the approved building permit and the provisions of this Title.~~

762.12 REVIEW OF BUILDING PERMIT APPLICATIONS BY ARCHITECTURAL REVIEW BOARD.

(a) Within five *business* days of acceptance of an application for a building permit ~~for planned use-developments, multi-family uses, uses in Commercial Districts and uses in Manufacturing Districts,~~ **which calls for new construction or construction that alters elevation wheresoever situated in the City,** the Zoning Administrator shall submit to the Architectural Review Board one copy of all documents and drawings submitted with the application as required by Section 762.01.

(b) In making its decision, the Architectural Review Board shall consider the following:

(1) The overall exterior appearance of any proposed building or structure and all appurtenances (including signs);

(2) The height, bulk and scale of any proposed building or structure and all appurtenances (including signs) with respect to buildings or structures and all appurtenances (including signs) in the immediate area;

(3) The exterior materials, colors and textures of any proposed building or structure and all appurtenances (including signs) with respect to the compatibility of such materials, colors and textures to other buildings and structures and all appurtenances (including signs) within the immediate area;

(4) The arrangement and location of any proposed building, structure or use and all appurtenances (including signs) on the site, as well as their relationship to other buildings and structures and all appurtenances (including signs) within the immediate area;

(5) The character, appearance and scale of any proposed landscaping or plantings for decorative or screening purposes; and

(6) All other factors that affect the appearance of the site and the area.

(7) The Architectural Review Board may also propose and enforce design guidelines or standards that have been approved by resolution of Council.

(c) The Architectural Review Board shall endeavor to insure that the exterior appearance of all buildings, structures and all appurtenances (including signs) or uses will:

(1) Enhance the attractiveness and desirability of the area in keeping with its purpose and intent;

(2) Encourage the orderly and harmonious development of the area in keeping with its character; ~~and~~

(3) Improve residential amenities; and

~~(3) (4) Enhance and protect the public and private investment and the value of all land and improvements within the area.~~

(d) The Architectural Review Board shall not attempt to prescribe the style of architecture as long as the architectural style and design under consideration meet the standard set forth above.

(e) The Architectural Review Board shall submit its findings to the Zoning Administrator, in writing, within thirty days of receipt of the application by the Zoning Administrator. **No building permit shall be issued by the Building Commissioner on applications referred to the Architectural Review Board unless plans and specifications therefore have been approved by the Architectural Review Board.** The Zoning Administrator shall record such findings.

Section 2: That 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 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 _____, 2017 2018.

Dennis Fiorelli, 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.: 75-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Planning Commission

December 27, 2018

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO "OPEN HANDS ADULT SUPPORT SERVICES" 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 "Open Hands Adult Support Services" 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 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 "Open Hands Adult Support Services" 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 "Conditional Uses in Commercial Districts" 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 _____, 2018.

Dennis Fiorelli, 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.: 76-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Planning Commission

December 27, 2018

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO "CHASE BANK" LOCATED AT 14133 CEDAR 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 5-0-0 that a Conditional Use Permit be granted to "Chase Bank" located at 14133 Cedar 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 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 "Chase Bank" located at 14133 Cedar Road in the City of South Euclid, Ohio, per the following conditions:

- Condition 1: All requirements for banks, as defined in Section 732.02 "Conditional Uses" of the South Euclid Zoning Code, shall be followed at all times.
- Condition 2: The lighting shall not spill into residential property as outlined in the City of South Euclid Planning and Zoning Code.
- Condition 3: Replace broken sidewalk blocks along Miramar Blvd. and Cedar Road.
- Condition 4: The wall separating the R-O (Residential-Office) District from the Residential District should be replaced to match the existing wall.

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 _____, 2018.

Dennis Fiorelli, 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.: 77-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

December 27, 2018

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2019 STREET RESURFACING PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

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

Section 1: That the City Engineer is hereby authorized to prepare the necessary plans, specifications, and advertise for bids for the 2019 Street Resurfacing Program within the City of South Euclid, Ohio.

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 28, 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 advertising for bids as early as possible will likely obtain the best results for the City. This Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 78-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

December 27, 2018

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE SHIRLEY-BILTAMY ROAD INFRASTRUCTURE IMPROVEMENT PROJECT IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

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

Section 1: That the City Engineer is hereby authorized to prepare the necessary plans, specifications, bid profiles, and advertise for bids for the Shirley-Biltamy Road Infrastructure Improvement Project within the City of South Euclid, Ohio.

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 28, 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 advertising for bids as early as possible will likely obtain the best results for the City. This Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, 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.: 79-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

December 27, 2018

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE WESTDALE ROAD INFRASTRUCTURE IMPROVEMENT PROJECT IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

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

Section 1: That the City Engineer is hereby authorized to prepare the necessary plans, specifications, bid profiles, and advertise for bids for the Westdale Road Infrastructure Improvement Project within the City of South Euclid, Ohio.

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 28, 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 advertising for bids as early as possible will likely obtain the best results for the City. This Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, 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: 80-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

December 27, 2018

A RESOLUTION

EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING THE YEAR 2018.

WHEREAS, during the year 2018, certain members of Council have been absent from various meetings of the Council and a list of such absences is attached hereto, marked "EXHIBIT A" and made a part thereof; and

WHEREAS, the Council deems that such absences were for just cause and should be excused; and

WHEREAS, instead of passing a Resolution for each justifiable absence as same occurred, Council has chosen to wait until the end of the year and excuse all justifiable absences by one Resolution.

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

Section 1: That the various absences of Council Members from meetings of the Council of the City of South Euclid, Ohio, during the year 2018, as shown by "EXHIBIT A", hereto attached and made a part thereof, by and the same are hereby excused.

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.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, President of Council

Approved:

Georgine Welo, Mayor

Attest:

Keith A. Benjamin, Clerk of Council

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

EXHIBIT "A"

MARCH 12, 2018	JANE GOODMAN
MAY 29, 2018	JANE GOODMAN
JUNE 11, 2018	RUTH GRAY
JUNE 25, 2018	JASON RUSSELL
JULY 23, 2018	JOE FRANK
SEPTEMBER 12, 2018	JANE GOODMAN & SARA CONTINENZA
SEPTEMBER 26, 2018	RUTH GRAY & SARA CONTINENZA
OCTOBER 22, 2018	JANE GOODMAN
NOVEMBER 11, 2018	RUTH GRAY
DECEMBER 10, 2018	DENNIS FIORELLI

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 81-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

December 27, 2018

A RESOLUTION

SETTING THE DATE FOR THE FIRST REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2019.

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 at 8:00 p.m. in the Council Chambers of the City Hall.

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

Section 1: That the date for the first regularly scheduled City Council meeting for the year of 2019, for the City of South Euclid, Ohio, shall be as follows:

Monday, January 14, 2019

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 of 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 _____, 2018.

Dennis Fiorelli, President of Council

Attest:

Approved:

Keith Ari Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 34-18
INTRODUCED BY: Fiorelli
REQUESTED BY: Fiorelli

December 27, 2018

AN ORDINANCE

AMENDING SECTION 172.06 "CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES" OF CHAPTER 172 "MUNICIPAL INCOME TAX EFFECTIVE BEGINNING JANUARY 1, 2016" OF TITLE IX "TAXATION" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO

WHEREAS, the Council of the City of South Euclid desires to ensure adequate public participation in city government; and

WHEREAS, public participation can be increased by ensuring citizens are involved in the process when changes are proposed to the city income tax code; and

WHEREAS, the provisions regarding holding community meetings previously included in the codified ordinances and Section 171 was inadvertently omitted when City Council adopted the new State of Ohio Tax Code as Chapter 172 in October 2015.

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

Section 1: That Section 172.06 "Credit for Tax Paid to Other Municipalities" of Chapter 172 "Municipal Income Tax" of Title IX "Taxation" of Part One "Administrative Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

172.06 CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES.

(A) Every individual taxpayer domiciled in City of South Euclid who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this Ordinance, may claim a nonrefundable credit against the tax imposed by this Ordinance upon satisfactory evidence that tax has been paid to another municipality. Subject to division (C) of this section, the credit shall not exceed [75]% of the amount obtained by multiplying the income, qualifying wages, commissions, net profits or other compensation subject to tax in the other municipality by the LOWER of the tax rate in such other municipality OR the rate of 1.0%.

(B) City of South Euclid shall grant a credit against its tax on income to a resident of City of South Euclid who works in a joint economic development zone created under Section 715.691 or a joint economic development district created under Section 715.70, 715.71, or 715.72 of the ORC to the same extent that it grants a credit against its tax on income to its residents who are employed in another municipal corporation.

(C) If the amount of tax withheld or paid to the other municipality is less than the amount of tax required to be withheld or paid to the other municipality, then for purposes of division (A) of this section, "the income, qualifying wages, commissions, net profits or other compensation" subject to tax in the other municipality shall be limited to the amount computed by dividing the tax withheld or paid to the other municipality by the tax rate for that municipality.

(D) Any provision amending Section 172.06 shall not be passed unless it receives at least five affirmative votes. Any proposed amendment to Section 172.06 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 172.06 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.

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 35-18
 INTRODUCED BY: Fiorelli
 REQUESTED BY: Mavor

December 27, 2018

AN ORDINANCE

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018; AND DECLARING AN EMERGENCY.

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

Section 1: That to provide for the current expenses and other expenditures of the City of South Euclid during the fiscal year ending December 31, 2018, the sums as herein set forth be and the same are hereby made. Said sums to be used to implement this 2018 Revenue and Expense.

Section 2: That there be appropriated from the General Fund:

PROGRAM I - Security of Persons and Property

POLICE DEPARTMENT - 1110

Personal Services	\$4,378,765	
Other Charges	<u>311,700</u>	
Total Police Department		\$4,690,465

POLICE - ADMINISTRATIVE - 1111

Personal Services	\$132,827	
Other Charges	<u>1,000</u>	
Total Police Department-Administrative		\$133,827

POLICE - SCHOOL GUARDS - 1112

Personal Services	\$70,930	
Other Charges	<u>1,000</u>	
Total Police Department-School Guards		\$71,930

POLICE - CORRECTIONS - 1113

Personal Services	\$0	
Other Charges	<u>0</u>	
Total Police Department-Corrections		\$0

FIRE DEPARTMENT - 1120

Personal Services	\$3,647,698	
Other Charges	<u>430,991</u>	
Total Fire Department		\$4,078,689

FIRE HYDRANTS - 1122

Other Charges	<u>29,500</u>	
Total Fire Hydrants		\$29,500

DISPATCHERS - 1130

Personal Services	\$0	
Other Charges	<u>493,164</u>	
Total Dispatchers		\$493,164

TOTAL PROGRAM I

\$9,497,575

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210

Other Charges	<u>\$160,950</u>	
Total Public Health & Welfare		\$160,950

TOTAL PROGRAM II

\$160,950

PROGRAM III - Leisure Time Activities

RECREATION - 3310

Personal Services	\$83,500	
Other Charges	<u>35,900</u>	
Total Recreation		\$119,400

COMMUNITY CENTER - 3350

Personal Services	\$175,820	
Other Charges	<u>62,800</u>	
Total Community Center		\$238,620

TOTAL PROGRAM III

\$358,020

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

Personal Services	\$818,111	
Other Charges	<u>196,800</u>	
Total Building Department		\$1,014,911

ECONOMIC DEVELOPMENT - 4430

Personal Services	\$83,407	
Other Charges	<u>32,835</u>	
Total Economic Development		\$116,242

COMMUNITY RELATIONS - 4440

Personal Services	\$82,537	
Other Charges	<u>80,900</u>	
Total Community Relations		\$163,437

CITY BOARDS & COMMISSIONS - 4450

Personal Services	\$39,025	
Other Charges	<u>4,450</u>	
Total Boards & Commissions		\$43,475

YOUTH INITIATIVE - 4460

Personal Services	\$16,513	
Other Charges	<u>15,500</u>	
Total Youth Initiative		\$32,013

TOTAL PROGRAM IV **\$1,370,076**

PROGRAM V - Basic Utility Service

REFUSE COLLECTION & DISPOSAL - 5510

Other Charges	<u>\$1,300,000</u>	
Total Refuse Collection & Disposal		\$1,300,000

CURBSIDE RECYCLING - 5520

Personal Services	\$96,051	
Other Charges	<u>9,700</u>	
Total Curbside Recycling		\$105,751

TOTAL PROGRAM V **\$1,405,751**

PROGRAM VI - Transportation

SERVICE DEPARTMENT - 6610

Personal Services	\$536,799	
Other Charges	<u>195,500</u>	
Total Service Department		\$732,299

GARAGE - 6620

Personal Services	\$205,847	
Other Charges	<u>223,750</u>	
Total Garage		\$429,597

TOTAL PROGRAM VI **\$1,161,896**

PROGRAM VII - General Government

MAYOR'S OFFICE - 7710

Personal Services	\$197,201	
Other Charges	<u>16,374</u>	
Total Mayor's Office		\$213,575

LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720

Personal Services	\$108,210	
Other Charges	<u>58,575</u>	
Total Legislative Activities (City Council)		\$166,785

FINANCE ADMINISTRATION - 7730

Personal Services	\$322,259	
Other Charges	<u>54,200</u>	
Total Finance Administration		\$376,459

INCOME TAX ADMINISTRATION (RITA) - 7731

Personal Services	\$0	
Other Charges	<u>483,000</u>	
Total Income Tax Administration		\$483,000

LEGAL ADMINISTRATION - 7740

Personal Services	\$206,410	
Other Charges	<u>309,100</u>	
Total Legal Administration		\$515,510

JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750

Personal Services	\$644,459	
Other Charges	<u>64,000</u>	
Total Judicial Activities (Municipal Court)		\$708,459

CIVIL SERVICE COMMISSION - 7760

Personal Services	\$7,753	
Other Charges	<u>28,150</u>	
Total Civil Service Commission		\$35,903

ENGINEERING - 7770

Personal Services	\$20,041	
Other Charges	<u>4,200</u>	
Total Engineering		\$24,241

MUNICIPAL COMPLEX - 7780

Personal Services	\$36,411	
Other Charges	<u>461,075</u>	
Total Municipal Complex		\$497,486

GENERAL SERVICES - 7790

Personal Services	\$37,000	
Other Charges	<u>421,976</u>	
Total General Services		\$458,976

INSURANCE - 7791

Personal Services	\$0	
Other Charges	<u>250,275</u>	
Total Insurance		\$250,275

TRANSFERS/ADVANCES OUT -9910/9920

Other Charges	<u>\$2,166,003</u>	
		<u>\$2,166,003</u>

TOTAL PROGRAM VII

\$5,896,672

TOTAL GENERAL FUND

\$19,850,940

Section 3: That there be appropriated from the Special Revenue Funds:

OPERATION HOME IMPROVEMENT (FUND 103/104)

Other Charges	<u>\$0</u>	
Total		\$0

COPS GRANT (FUND 106)

Personal Services	\$0	
Other Charges	<u>0</u>	
Total		\$0

COMMUNITY DIVERSION PROGRAM (FUND 107)

Personal Services	\$11,802	
Other Charges	<u>4,745</u>	
Total		\$16,547

16,547

STREET CONSTRUCTION & MAINTENANCE (FUND 202)

Personal Services	\$664,423	
Other Charges	<u>247,750</u>	
Total		\$912,173

912,173

STATE HIGHWAY IMPROVEMENT (FUND 203)

Personal Services	\$0	
Other Charges	<u>50,000</u>	
Total		\$50,000

50,000

PARKING LOTS & PARKING METERS (FUND 205)

Personal Services	\$0		
Other Charges	<u>0</u>		
Total		\$0	-

SWIMMING POOLS (FUND 206)

Personal Services	\$168,112		
Other Charges	<u>82,725</u>		
Total		\$250,837	250,837

PERMISSIVE MOTOR VEHICLE TAX (FUND 207)

Other Charges	<u>\$130,000</u>		
Total		\$130,000	130,000

HUD GRANT - NSP 3 (FUND 215)

Other Charges	<u>\$0</u>		
Total		\$0	

POLICE RANGE (FUND 220)

Other Charges	<u>\$27,400</u>		
Total		\$27,400	

LAW ENFORCEMENT TRUST (FUND 221)

Other Charges	<u>\$110,000</u>		
Total		\$110,000	137,400

FEMA FIREFIGHTERS GRANT (FUND 222)

Other Charges	<u>\$2,529</u>		
Total		\$2,529	

SAFETY FORCES LEVY (FUND 410)

Personal Services	\$1,910,000		
Other Charges	<u>34000</u>		
Total		\$1,944,000	

STREET LIGHTING (FUND 511)

Other Charges	<u>\$474,803</u>		
Total		\$474,803	2,421,332

SEWER MAINTENANCE (516)

Personal Services	\$418,779		
Other Charges	<u>28,480</u>		
Total		\$447,259	447,259

SEWER REHABILITATION (517)

Other Charges	<u>\$400</u>		
Total		\$400	

POLICE PENSION (FUND 614)

Other Charges	<u>\$106,200</u>		
Total		\$106,200	

FIRE PENSION (FUND 615)

Other Charges	<u>\$106,000</u>		
Total		\$106,000	

SICK LEAVE BENEFIT (FUND 926)

Total		\$60,119	\$272,719
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TOTAL SPECIAL REVENUE FUNDS: \$4,638,267

Section 4: That there be appropriated from the Bond Retirement Funds:

GENERAL BOND RETIREMENT (FUND 327)

Other Charges	<u>\$75,635</u>		
Total		\$75,635	\$75,635

RECREATION BOND RETIREMENT (FUND 328)

Other Charges	<u>\$0</u>		
Total		\$0	\$0

SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)

Other Charges	<u>\$0</u>		
Total		\$0	\$0

TOTAL BOND RETIREMENT FUNDS: \$75,635

Section 5: That there be appropriated from the Capital Project Funds:

CAPITAL PROJECT FUNDS

GENERAL IMPROVEMENT & REPAIR (FUND 408)

Other Charges	<u>\$500,993</u>		
Total		\$500,993	500,993

SAFETY FORCES VEHICLES (FUND 409)

Other Charges	<u>\$281,161</u>		
Total		\$281,161	\$281,161

POLICE VEHICLES & EQUIPMENT (FUND 411)

Other Charges	<u>\$14,000</u>		
Total		\$14,000	

RECREATION CONTINGENCY (FUND 418)

Other Charges	<u>\$0</u>		
Total		\$0	14000

WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)

Other Charges	<u>\$684,335</u>		
Total		\$684,335	684,335

ROAD RESURFACING (FUND 425)

Other Charges	<u>\$1,113,240</u>		
Total		\$1,113,240	1,113,240

FLOOD CONTROL (FUND 426)

Other Charges	<u>\$2,813,836</u>		
Total		\$2,813,836	2,813,836

SIDEWALK IMPROVEMENT PROGRAM (FUND 427)

Other Charges	<u>\$7</u>		
Total		\$7	7

STAN HOPE PARKING LOT (FUND 430)

Other Charges	<u>\$2,852</u>		
Total		\$2,852	

ISSUE II PROJECTS (FUND 431)

Other Charges	<u>\$0</u>		
Total		\$0	

LAND ACQUISITION (FUND 440)

Other Charges	<u>\$3,079,257</u>		
Total		\$3,079,257	3,082,109

TOTAL CAPITAL PROJECT FUNDS: \$8,489,681

TRUST & AGENCY (FUND 917)

Other Charges	<u>\$1,833,965</u>		
Total		\$1,833,965	

TOTAL TRUST & AGENCY FUND: \$1,833,965

GRAND TOTAL \$34,888,488

Section 6: That the City Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the Board of Officers authorized by law to approve same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that the appropriation for contingencies can be expended upon approval of a two-thirds vote of Council for items constituting a legal obligation against the City for purposes other than those covered by other specific appropriations, herein made.

Section 7: 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 8: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for further reason that funds cannot be properly disbursed in 2016 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2018.

Dennis Fiorelli, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael Lograsso, Director of Law

