

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
SEPTEMBER 9, 2019
8:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: July 8, 2019; July 22, 2019; July 29, 2019 (special meeting); August 20, 2019 (special meeting).

4. REPORT OF MAYOR

5. REPORT OF LAW DIRECTOR & DEPARTMENTAL HEADS

6. REPORT OF SCHOOL DISTRICT

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

8. REPORT OF COMMITTEES

9. LEGISLATION FROM THE PLANNING COMMISSION

1. RESOLUTION 37-19 GRANTING A CONDITIONAL USE PERMIT FOR "ACT CARES, LLC. ADULT DAY PROGRAM" LOCATED AT 4141 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. RESOLUTION 38-19 AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID. FIRST READING.

2. RESOLUTION 39-19 REQUESTING FROM THE COUNTY AUDITOR A TAX ADVANCE FROM THE PROCEEDS OF THE 2019 TAX YEAR COLLECTION; AND DECLARING AN EMERGENCY. FIRST READING.

3. RESOLUTION 40-19 ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER. FIRST READING.

4. RESOLUTION 41-19 PROVIDING FOR THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE MORAL CLAIMS FUND OF THE CITY OF SOUTH EUCLID TO COVER THE COST OF SETTLING LITIGATION REGARDING THE ESTATE OF PATRICIA CERAOLO, ET AL V. SOUTH EUCLID, CUYAHOGA COUNTY COURT OF COMMON PLEAS CASE NO. CV-13-799847 IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00). FIRST READING.

5. RESOLUTION 42-19 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PERFORMANCE OF BRIDGE INSPECTION SERVICES IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

6. RESOLUTION 43-19 IN RECOGNITION OF GLOBAL CLEVELAND'S WELCOMING WEEK. 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.: 37-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Planning Commission

September 9, 2019

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT FOR "ACT CARES, LLC" LOCATED AT 4141 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid recognizes the need for human care institutions within the commercial districts; and

WHEREAS, one such use, a proposed "ACT Cares, LLC adult day program," is to be located at 4141 Mayfield Road and has requested a conditional use permit; 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 allow "ACT Cares, LLC" to operate at 4141 Mayfield 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 "ACT Cares, LLC" to operate an adult day program at 4141 Mayfield Road, with no specific conditions.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is declared to be an emergency measure necessary for the preservation of the public peace, health and safety and for the further reason that a vital function of the municipal government is affected thereby. Wherefore, this Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2019.

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.: 38-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

September 9, 2019

A RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID.

WHEREAS, the City of South Euclid is the owner of certain parcels of developed and vacant land, as defined in Exhibit A attached hereto; and

WHEREAS, the subject parcels were deeded to the City of South Euclid through the tax foreclosure process; and

WHEREAS, the Council of the City of South Euclid has, upon study and consideration, determined that said parcels do not serve and are not needed for any municipal purpose; and

WHEREAS, in accordance with the agreement for professional services, the City's Community Development Corporation, One South Euclid, has the ability to dispose of the subject parcels and return the land to productive use.

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

Section 1: That the Council has determined the subject parcels do not serve any municipal purpose.

Section 2: That the Mayor be and she is hereby authorized to convey said parcels of real property (as shown in Exhibit A, attached hereto) to the City's Community Development Corporation, One South Euclid, in order to dispose of the property and return the land to productive use.

Section 3: 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 4: 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 _____, 2019.

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

EXHIBIT A:

Parcel of developed land to be conveyed to One South Euclid:

PP#	Address	Street Name
701-34-024	4655	Monticello Blvd.

Parcel of vacant land to be conveyed to One South Euclid:

PP#	Address	Street Name
701-01-135	0	Covington Road

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO: 39-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

September 9, 2019

A RESOLUTION

REQUESTING FROM THE COUNTY AUDITOR A TAX ADVANCE FROM THE PROCEEDS OF THE 2019 TAX YEAR COLLECTION; AND DECLARING AN EMERGENCY.

WHEREAS, the municipality is in need of funds with which to carry on municipal activities.

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

Section 1: That the County Auditor be, and he is hereby, authorized and directed to pay to the Director of Finance of the City of South Euclid, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Treasurer which are payable to the City of South Euclid from the proceeds of the 2019 tax year collection, including, without limitation, revenues from personal property taxes, real property taxes and the following special assessments collected: m108289, "Sewer Maintenance;" and m208200, "Street Lights."

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the reason that the general fund balance is being depleted. 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 _____, 2019.

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

RESOLUTION 40-19

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(CITY COUNCIL)

Revised Code, Secs. 5705.34-5705.35

The Council of the City of South Euclid, Cuyahoga County, Ohio, met in session on the day of 2019, at the office of with the following members present:

Three blank lines for listing council members present.

Mr./Mrs. moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2020; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of South Euclid, Cuyahoga County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			3.05	6.95
General Bond Retirement Fund				0.00
Police Pension			0.30	
Park Fund				0.00
Recreation Fund				
Fire Pension Fund			0.30	
Street Construction Fund				2.50
Police Fire Safety Fund				
TOTAL	\$0	\$0	3.65	9.45

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.		
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	

and be it further
RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this
 Resolution to the Fiscal Officer of said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called
 upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20____.

Attest:

 President of Council

 Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the City

of _____ within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

No. RESOLUTION 40.19

COUNCIL OF THE CITY OF

SOUTH EUCLID

CUYAHOGA _____ County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY FISCAL OFFICER

(City Council)

Adopted _____, 20____

Clerk of Council

Filed _____, 20____

County Fiscal Officer

By _____
Deputy

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 41-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

September 9, 2019

RESOLUTION

PROVIDING FOR THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE GENERAL FUND OF THE CITY OF SOUTH EUCLID TO COVER THE COST OF SETTLING LITIGATION REGARDING THE ESTATE OF PATRICIA CERAOLO, ET AL V. SOUTH EUCLID, CUYAHOGA COUNTY COURT OF COMMON PLEAS CASE NO. CV-13-799847 IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00).

WHEREAS, there are balances in the unappropriated funds in the General Fund of the City of South Euclid, Ohio; and

WHEREAS, it is the desire of the Council to appropriate to the Moral Claims Fund of the City of South Euclid an amount not to exceed \$15,000.00 to settle the litigation in Cuyahoga County Common Pleas Court titled "The Estate of Patricia Ceraolo, et. al v. South Euclid, case no. CV-13-799847; and

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

Section 1: That a sum not to exceed \$15,000.00 be and is hereby appropriated to the Moral Claims Fund #101-7790-52747.

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 the further reason that a vital function of the municipal government is affected hereby. Wherefore, this Resolution shall take effect upon passage and approval.

Passed this _____ day of _____, 2019.

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

RESOLUTION NO.: 42-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

September 9, 2019

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PERFORMANCE OF BRIDGE INSPECTION SERVICES IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, it is the desire of the Mayor to enter into an agreement with the Ohio Department of Transportation (ODOT) to perform bridge inspection services on eligible bridges located within the City of South Euclid, Ohio.

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

Section 1: That the City of South Euclid, a Local Public Agency (LPA) in the State of Ohio, has determined the need for the described project: Bridge Inspection Services, including, but not limited routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

Section 2: That the LPA gives consent to and has the authority to enter into an agreement with the State Director of Transportation to complete the above described bridge inspection project for qualifying bridges within the City of South Euclid.

Section 3: That the LPA shall cooperate with the State Director of Transportation in the above described project as follows: The State shall assume and bear 100% of all of the cost of Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract, attached hereto as Exhibit A. The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as a partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA required installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

Section 4: That the LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 5: 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 _____, 2019.

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.: 43-19
INTRODUCED BY: Fiorelli
REQUESTED BY: Mayor

September 9, 2019

A RESOLUTION

IN RECOGNITION OF GLOBAL CLEVELAND’S WELCOMING WEEK

WHEREAS, this Council proudly recognizes the national event of Welcoming Week, September 13-September 22, 2019; and

WHEREAS, this will be a special week with a series of events hosted by Global Cleveland that will bring communities together to celebrate their unity and strong connection with each other, and applaud the benefits of welcoming newcomers to our community, and

WHEREAS, Global Cleveland will begin the week with their “Welcoming the World” campaign-an exciting and fun way to showcase Cleveland and the surrounding area as Global Friendly cities. This campaign will debut September 13 and last for one month, and

WHEREAS, through Welcoming the World, Global Friendly corporations and organizations share their global story through decals on their windows, floors, elevators, etc. These will showcase the company or organization as a diverse, inclusive, and global friendly employer to the world, and

WHEREAS, it is important to recognize the efforts of newcomers in Ohio because it is part of our present and an important part of our past, and

WHEREAS, Ohio has thrived because of international newcomers. The population decline of Northeast Ohio from 1970-2013 has been mitigated by the continuous influx of foreign-born persons who have helped Ohio to grow and develop, and

WHEREAS, most international newcomers have a bachelor’s degree or higher. The Migration Policy Institute found that in 2017 49.5% of foreign-born workers have a higher education degree as compared with 33.1% of the native-born population, and

WHEREAS, the spending power of refugees and immigrants are in the billions, which significantly outweighs the cost of public services they incur, and

WHEREAS, according to the New American Economy immigrant households in Cleveland have \$3.1 billion in spending power and refugee households have \$819 million in spending power. These households also contribute to our federal, state, and local tax bases each year, and

WHEREAS, international students have financially contributed over \$1.1 billion in 2018 to the state’s economy, making Ohio the 8th most benefited state by foreign students. International students are required to pay full tuition which is three times as much, on average, as a local student, and they are not eligible for financial aid. The economic benefit is very clear and these students also help support jobs which require their unique skills and higher education degrees, and

WHEREAS, according to National Association of Foreign Student Advisors in 2018 international students in Ohio helped support over 14,000 jobs and the state was able to about one-third of international students post-graduation, and

WHEREAS, Greater Cleveland has a plethora of institutions, organizations and companies, that work together to integrate newcomers, and

WHEREAS, with ample support from City of Cleveland and other institutions, Cleveland now has more than 31 cultural gardens – designed and cultivated by distinct cultural or nationality groups. Cleveland Cultural Gardens represent the diversity and multiculturalism in Greater Cleveland and holds mission of “peace through mutual understanding”. This has helped people living in Greater Cleveland become interculturally competent, unprejudiced and more welcoming towards international newcomers. This benefits the city and the state through the impact these newcomers have socially, economically and culturally, and

WHEREAS, as we continue with these efforts, we can continue to transform Greater Cleveland into an international hub of innovation, we can embrace and cultivate a culture of inclusion and shared prosperity; and we can create a platform for internationalization and economic growth, and

WHEREAS, Global Cleveland’s “Welcoming the World” Campaign plays a huge part in continuing the momentum built around shared prosperity in our society, community, city and state, and

WHEREAS, through these efforts Global Cleveland proceeds with its mission to attract, welcome and connect international newcomers to economic and social opportunities in Cleveland and Cuyahoga County. We are ‘Strengthening Our Communities – By Welcoming Our World’.

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

Section 1: That this Council proudly recognizes the national event of Welcoming Week, September 13-September 22, 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.

Passed this _____ day of _____, 2019.

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