

THE CITY OF SOUTH EUCLID  
SCHEDULE OF MEETING

May 26, 2020

8:00 PM

*Meeting Conducted Via WebEx Meeting Platform*

**PUBLIC ACCESS FOR RESIDENTS:**

Please go to the City's Homepage at [www.cityofsoutheuclid.com](http://www.cityofsoutheuclid.com)  
and click the "Join City Council Meeting Link"  
at the top of the webpage.

The Password to Join the Meeting is:

**a7jJrPhXD56 (27557749 from phones and video systems)**

---

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. REPORT OF MAYOR

4. REPORT OF LAW DIRECTOR & DEPARTMENTAL HEADS

5. REPORT OF SCHOOL DISTRICT

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

7. REPORT OF COMMITTEES

1. Ordinance 06-20                      An Ordinance enacted by the City of South Euclid, Cuyahoga County, Ohio hereinafter referred to as the Municipality that requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the County, in the matter of the hereinafter described improvement related to the proposed Green Road Bridge Replacement and Resurfacing Project. **Second Reading.**

8. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Resolution 32-20                      Declaring the necessity to levy a renewal tax outside of the ten mill limitation for the purpose of providing funds for construction, reconstruction, resurfacing and repair of roads and streets in the City; and declaring an emergency. First Reading.
2. Resolution 33-20                      Authorizing the Mayor to execute an agreement with the lowest and best bidder for the provision of automated solid waste curbside collection and disposal and automated curbside recycling services within the City of South Euclid, Ohio; and declaring an emergency. First Reading.
3. Resolution 34-20                      A Resolution authorizing the Mayor to enter into a Master Cooperation Agreement for Preventative Maintenance Services and declaring an emergency. First Reading.

4. Ordinance 07-20      An Ordinance establishing and regulating the Local Coronavirus Relief Fund #925; and declaring an emergency. First Reading.

**9. PUBLIC HEARINGS (OPEN MEETING) RELATED TO OPEN BUSINESS**

**10. COMMUNICATIONS OF CITY COUNCIL**

**11. ADJOURN**

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 06-20  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

May 11, 2020

AN ORDINANCE

AN ORDINANCE ENACTED BY THE CITY OF SOUTH EUCLID, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE MUNICIPALITY THAT REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT RELATED TO THE PROPOSED GREEN ROAD BRIDGE REPLACEMENT AND RESURFACING PROJECT.

**WHEREAS**, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The replacement of Green Road Bridge 07.47 and the resurfacing of surrounding area adjacent to Euclid Creek in the City of South Euclid.

**NOW THEREFORE**, be it ordained by the Council of the City of South Euclid, County of Cuyahoga and State of Ohio;

Section 1:

**A. CONSENT**

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to construct the above improvement in accordance with plans, specifications and estimates approved by the COUNTY.

**B. COOPERATION**

1. That the MUNICIPALITY will cooperate with the COUNTY in the replacement of Green Road Bridge 07.47 and the resurfacing of surrounding area adjacent to Euclid Creek in the City of South Euclid.
2. That the COUNTY will arrange for the preparation of construction plans and specifications, including necessary engineering reports for improvement, under current Cuyahoga County standards for construction of County roads and bridges.
3. That the COUNTY will arrange for the supervision and administration of the construction contract.

**C. FUNDING**

1. That the MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY portion of the project.
2. The COUNTY portion includes 100% design engineering, construction and construction supervision of the bridge portion and 80% of the resurfacing portion.
3. That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in this Agreement.
4. That the MUNICIPALITY agrees to deposit with the Treasurer of Cuyahoga County the MUNICIPALITY'S share of the estimated cost of the project or agrees to enter into an escrow agreement with the COUNTY prior to an award of a contract for the improvements.

**D. MAINTENANCE**

That upon completion of said improvement, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance (including financial provisions for electricity costs); and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the improvement in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

**E. TRAFFIC**

That upon completion of said improvement said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
2. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A) (6) Ohio Revised Code; and
3. That stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
4. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
5. The MUNICIPALITY shall regulate parking in the following manner:  
Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

**F. RIGHT-OF-WAY**

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the aforesaid improvement shall be made available therefore.
2. That in the event any additional right-of-way is required, the COUNTY will arrange for the acquisition.

## G. UTILITIES

1. The COUNTY will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.
2. That the COUNTY will pay the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.
3. The MUNICIPALITY shall cooperate with the COUNTY to, make all arrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.
4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

## H. MISCELLANEOUS

1. That if the COUNTY is formally requested by a MUNICIPAL RESOLUTION to include the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the improvement), sidewalks, alternate bid items, or other items in the improvement that are in addition to those now existing and not provided for elsewhere in this Agreement, the COUNTY will do so, provided that this construction meets with the approval of the COUNTY and the MUNICIPALITY involved in this improvement; and that the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering, and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certifications or obligations made or agreed to in said Sections F-1, G-1, G-3, and G-4 hereinabove.
3. For the purpose of this Ordinance, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. By entering into this Ordinance I agree on behalf of the City of South Euclid to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the COUNTY.

**I. AUTHORITY TO SIGN**

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the COUNTY for approval to use County Motor Vehicle License Tax Funds for the improvement.

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: This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

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

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

Approved as to form:  
  
\_\_\_\_\_

\*\*\*\*\*

**CERTIFICATE OF COPY**

**State of Ohio                    ) County of Cuyahoga                    ) SS. City of South Euclid                    )**

I, Keith Ari Benjamin, as Clerk of the City of South Euclid, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. \_\_\_\_\_, Page \_\_\_\_\_.

**IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

\_\_\_\_\_  
**Keith Ari Benjamin, Clerk, City of South Euclid**

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 32 -20  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

May 26, 2020

A RESOLUTION

DECLARING THE NECESSITY TO LEVY A RENEWAL TAX OUTSIDE OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING FUNDS FOR CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF ROADS AND STREETS 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 construction, reconstruction, resurfacing and repair of roads and streets in the City, together with all necessary incidentals and appurtenances thereto, pursuant to Ohio Revised Code Section 5705.19. Said levy to be held on November 3, 2020, will renew a two and one-half (2.5) mill levy which expired December 31, 2019 to be in effect for five (5) years first due and commencing in tax year 2020, for first collection in calendar year 2021.

Section 2: That the County Auditor 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 a two and one-half mill levy for each of the five (5) 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 Auditor of Cuyahoga County, Ohio.

Section 4: That this Resolution repeals and replaces Resolution 25-20 passed by City Council on April 20, 2020.

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.

Section 6: 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Joseph Frank, 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.: 33-20  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

May 26, 2020

A RESOLUTION

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE LOWEST AND BEST BIDDER FOR THE PROVISION OF AUTOMATED SOLID WASTE CURBSIDE COLLECTION AND DISPOSAL AND AUTOMATED CURBSIDE RECYCLING SERVICES WITHIN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, City Council believes automated solid waste removal and curbside recycling enhances efficiency and lowers expenses by implementing the latest technology; and

WHEREAS, allowing for automated collection further promotes "green" practices within the City and provides means to stimulate and encourage greater recycling participation; and

WHEREAS, automated collection reduces the ill effects associated with unnecessary landfill volume and improves community aesthetics through uniform rubbish removal; and

WHEREAS, City Council recommends the City's Board of Control select the lowest and best bidder for the provision of automated solid waste curbside collection and automated curbside recycling services.

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

Section 1: That the Mayor be and she is hereby authorized to enter into an agreement with the lowest and best bidder, as determined by the Board of Control, for automated solid waste curbside collection and disposal and automated curbside recycling services 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 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 the City must enter into a new contract for solid waste services. Wherefore, this Resolution shall take effect upon passage and approval of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

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

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

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 34-20  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

May 26, 2020

A RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MASTER COOPERATION AGREEMENT FOR PREVENTIVE MAINTENANCE SERVICES AND DECLARING AN EMERGENCY

WHEREAS, Pursuant to Section 806.02 of Cuyahoga County Code, the County selected the Municipalities to participate in the Cuyahoga Countywide Preventive Maintenance Program; and

WHEREAS, Pursuant to an award letter dated February 24, 2020 and May 7, 2020, the Municipalities will be reimbursed by the County for performing the following preventive maintenance activities on County roadways located in such Municipalities: pavement resurfacing, base repairs, curb replacement/repairs, curb ramp repairs, rebuilding of utility catch basins/manholes, pavement striping, crack sealing, pavement joint repair, and other similar maintenance activities approved by the County (the "Preventive Maintenance").

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

SECTION 1. The Mayor be, and she hereby is authorized to enter into a Master Cooperation Agreement for Preventive Maintenance Services, a copy of which Agreement is attached hereto as Exhibit "A" and made a part hereof.

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 the City must enter into a new contract for solid waste services. Wherefore, this Resolution shall take effect upon passage and approval of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

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

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

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 07-20  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

May 26, 2020

AN ORDINANCE

AN ORDINANCE ESTABLISHING AND REGULATING THE LOCAL CORONAVIRUS RELIEF FUND #925 AND DECLARING AN EMERGENCY

WHEREAS, the General Assembly of the State of Ohio enacted Am. S.B. No. 310 to provide for the distribution of federal coronavirus relief funding to local subdivisions; and

WHEREAS, pursuant to Am. S.B. No. 310, to be eligible to receive a payment, the legislative authority of a county, township, or municipal corporation must adopt a resolution or ordinance affirming that the funds so received may be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES); and

WHEREAS, the City of South Euclid desires to create a Local Coronavirus Relief Fund to be used to cover expenditures consistent with such requirements.

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

Section 1: The City Fiscal Officer (Finance Director) be authorized and directed to establish the "Local Coronavirus Relief Fund #925" for the deposit of federal coronavirus relief funding received under Am. S.B. No. 310, for the purpose of providing funds to cover costs consistent with Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES), specifically: (1) necessary expenditures incurred due to the public health emergency from COVID19; (2) not accounted for in the most recently approved budget as of February 10, 2020; and (3) were incurred during the period of March 1, 2020 through December 30, 2020.

Section 2: Pursuant to Am. S.G. No. 310, not later than October 15, 2020, the City Fiscal Officer (Finance Director) shall pay the unencumbered balance of money in the Local Coronavirus Relief Fund to the County Treasurer, who shall deposit this revenue in the County Coronavirus Relief Distribution Fund.

Section 3: Pursuant to Am. S.B. No. 310, not later than December 28, 2020, the City Fiscal Officer (Finance Director) shall pay the balance of funds in the Local Coronavirus Relief Fund that remains unexpended on that date to the state treasury in the manner prescribed by the Director of Budget and Management.

Section 4: Funds in the Local Coronavirus Relief Fund shall be audited by the Auditor of State during the City's next regular audit to determine whether money in the fund has been expended in accordance with the requirements.

Section 5: The City Clerk of Council shall certify a copy of this ordinance to the County Fiscal Officer and Ohio Director of Budget and Management.

Section 6: 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 7: This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

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

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

Approved as to form:  
\_\_\_\_\_

\*\*\*\*\*

**CERTIFICATE OF COPY**

**State of Ohio                    ) County of Cuyahoga                    ) SS. City of South Euclid                    )**

I, Keith Ari Benjamin, as Clerk of the City of South Euclid, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. \_\_\_\_\_, Page \_\_\_\_\_.

**IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.**

**\_\_\_\_\_  
Keith Ari Benjamin, Clerk, City of South Euclid**