

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
June 8, 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
and click the "Join City Council Meeting Link"
at the top of the webpage.**

**The Password to Join the Meeting is:
VpJFpJJS443 (87537557 from phones and video systems)**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES May 11, 2020
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

Public Utilities Committee

1. Resolution 61-19 A Resolution to establish a goal of one hundred percent green energy for the City of South Euclid facilities by 2025 and for the community at large by 2035. **Second Reading.**

9. LEGISLATION REQUESTED BY CITY COUNCIL

1. Resolution 35-20 Requesting the United States Congress and Ohio Legislature immediately enact social justice policies and practices to ensure that Black Americans have the same equal protections under the law; and declaring racism a public health crisis; and declaring an emergency. **First Reading.**

10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Resolution 36-20 Adopting the Fiscal Budget for the Year Beginning January 1, 2021. **First Reading.**
2. Ordinance 08-20 Amending Section 1127.07 "Trespassing in Violation of Posted Signs" of Chapter 1127 "Canvassing, Soliciting or Peddling for Residential Sales of Property and for Charitable Purposes" of Part Eleven "Business Regulation Code" of the Codified Ordinances of the City of South Euclid, Ohio. **First Reading.**

3. Ordinance 09-20 Approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances; providing for the adoption and publication of new matter in the updated and revised Codified Ordinances; repealing ordinances and resolutions in conflict therewith; and declaring an emergency. First Reading.

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

12. COMMUNICATIONS OF CITY COUNCIL

- 13. ADJOURN TO EXECUTIVE SESSION** For the purposes of discussing pending litigation.

14. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 61-19 November 25, 2019
INTRODUCED BY: Fiorelli *As amended in Committee May 26, 2020*
REQUESTED BY: Gelfand, Continenza, Goodman

A RESOLUTION

A RESOLUTION TO ESTABLISH A GOAL OF ONE HUNDRED PERCENT **GREEN** ENERGY FOR THE CITY OF SOUTH EUCLID FACILITIES BY 2025 AND FOR THE COMMUNITY AT LARGE BY 2035.

WHEREAS, 139 U.S. cities, including Cleveland and Cincinnati, have already adopted ambitious 100% clean energy goals, and six U.S. cities have already hit their targets to generate 100% of the energy used community-wide from clean, non-polluting, and renewable sources; and,

WHEREAS, “green” energy includes “renewable energy” derived from sources such as wind, solar, hydroelectric, geothermal, biogas, wave, and other new technology sources, and “clean energy” includes sources that do not pollute the air, land, or water; and,

WHEREAS, South Euclid's commitment to 100% clean and renewable energy use will create good local jobs, reduce air pollution and other health risks, help to mitigate and adapt to climate change, improve sustainability, and safeguard the health of our residents now and into the future; and,

WHEREAS, energy derived from clean and renewable sources can offer greater economic security, a potentially more affordable energy solution for cities and consumers than ever before; and,

WHEREAS, the City of South Euclid has been at the forefront in adopting environmentally beneficial codes in terms of stormwater management, green infrastructure, forest canopy, waste management, and other areas; and,

WHEREAS, South Euclid wishes to support its residents and businesses in the transition to a new energy economy through outreach and education;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH EUCLID, OHIO:

Section 1: That this Council does hereby commit to a goal of one hundred percent **green energy use** by the City of South Euclid facilities by **2025**, and **to assist** the community at large in reaching this same goal by 2035.

Section 2: That this Council does hereby direct the administration **to work with Council** to develop a plan **by the end of 2022** that lays out a roadmap for the City of South Euclid to achieve these goals, and to seek input from the community **and relevant partners** in developing this plan.

Section 3: That this Council **will seek to emphasize the most reasonable and financially feasible** measures in order to meet energy needs **while remaining** mindful of the use of taxpayer dollars and any impact on consumers' personal expenses.

Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: 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 20.

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.: 35-20
INTRODUCED BY: Frank
REQUESTED BY: Gray

June 8, 2020

A RESOLUTION

REQUESTING THE UNITED STATES CONGRESS AND OHIO LEGISLATURE IMMEDIATELY ENACT SOCIAL JUSTICE POLICIES AND PRACTICES TO ENSURE THAT BLACK AMERICANS HAVE THE SAME EQUAL PROTECTIONS UNDER THE LAW; AND DECLARING RACISM A PUBLIC HEALTH CRISIS; AND DECLARING AN EMERGENCY.

WHEREAS, events of the last few months have underscored the racist severity faced by the Black community ranging social-economic consequence, the COVID-19 Pandemic, along with the murder of Black women and men in the United States; and

WHEREAS, we know some of their names and acts such as the egregious profiling of Christian Cooper in New York, or the killings of George Floyd in Minnesota, Breonna Taylor in Kentucky and Ahmaud Arbery in Georgia, but the overall vilification of Black America is not a distant occurrence; and

WHEREAS, Ohio is stained by many of the same unfortunate experiences in the names of *Tamir Rice, John Crawford, Tanisha Anderson, Samuel DuBose, Desmond Franklin, Terrance Moxley, Brandon Jones, James Carney, III* and many others; and

WHEREAS, over the last few years we have suffered the trauma of witnessing too many killings of unarmed Black Americans in the United States. We have viewed social media posts and watched news coverage of police officers and private citizens gunning down members of our communities without the ability to offer explanation; and

WHEREAS, the COVID-19 pandemic has claimed the lives of a disproportionate number of Black Americans at a rate of 50.3 per 100,000 people resulting in more than 20,000 deaths. The veil of pervasive racial inequities present in our municipalities and states across the country has been removed, revealing a painful and difficult blotch; and

WHEREAS, the misconduct and vigilantism of private citizens and police officers who kill, profile or vilify Black men and women without justification or excuse, highlights the deeply rooted structural and systemic racism in our history. This real and persistent threat to our lives, the lives of those we love and our civil right to be safe in our personhood and in our communities must be confronted; and

WHEREAS, racism is a public health crisis in America.

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

Section 1: That the Mayor and City Council of the City of South Euclid supports and calls for accountability and equitable practices in the following *8-Point Policy Provision Regarding Racial Justice* and calls upon the United States and Ohio State Legislature to immediately enact the following Social Justice Policies to ensure that minority communities have the same equal protection under the law:

- I. Declare racism a public health crisis.
- II. Remove discriminative laws such as the Stop and Identify Statute.
- III. Expand statewide medical provisions to include mental healthcare regarding race (i.e. counseling / therapy sessions).
- IV. Implement at minimum a financial penalty assessment for false calls regarding racial profiling as well as an abusive and unnecessary use of local police agency resources.
- V. Conduct additional Employment Equity Trainings by certified professionals within each respective field, inclusive of racial justice, unconscious bias, mental health, de-escalation practices and drug addiction awareness.
- VI. Require an Annual Accountability Analysis of police departments in regards to excessive use of force complaints and make the reporting complaint process available electronically and anonymous with a follow-up loop.
- VII. Implement a decertification process for officers found to have engaged in egregious actions and behaviors (similar to the law, medical and social work professions).
- VIII. Mandate body-worn cameras at all times, which can be incentivized by the United States Justice Department.

Section 2: That the Mayor and City Council hereby declare racism a public health crisis.

Section 3: That the Clerk of Council shall forward a certified copy of this legislation to the Majority and Minority Leaders of the United States Congress and Ohio State Legislature, Ohio Governor Mike DeWine, Ohio Attorney General Dave Yost, Ohio Congresswoman Marcia Fudge, Ohio Senate Representative Kenny Yuko, Ohio House Representative Kent Smith, United States Senators Rob Portman and Sherrod Brown, Cuyahoga County Executive Armond Budish and members of Cuyahoga County Council.

Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation for the public peace, health, and safety and for further reason that a vital function of the municipal government is effected hereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 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.: 36-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

June 8, 2020

A RESOLUTION

ADOPTING THE FISCAL BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2021.

WHEREAS, the budget for the City of South Euclid, Ohio for the Fiscal Year beginning January 1, 2021 has been prepared in accordance with the requirements of law, and placed on file with the Fiscal Officer; and

WHEREAS, said budget has been available for public inspection for at least ten (10) days by having copies on file in the office of the Fiscal Officer.

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

Section 1: That the budget of the City of South Euclid for the fiscal year beginning January 1, 2021 be and is hereby adopted as the fiscal budget of the City of South Euclid for the fiscal year beginning January 1, 2021.

Section 2: That the Clerk be and he is hereby authorized and directed to certify a copy of said budget and a copy of the Resolution and to transmit the same to the Fiscal Officer of Cuyahoga County, Ohio.

Section 3: That 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 _____, 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

ORDINANCE NO.: 08-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

June 8, 2020

AN ORDINANCE

AMENDING SECTION 1127.07 "TRESPASSING IN VIOLATION OF POSTED SIGNS" OF CHAPTER 1127 "CANVASSING, SOLICITING OR PEDDLING FOR RESIDENTIAL SALES OF PROPERTY AND FOR CHARITABLE PURPOSES" OF PART ELEVEN "BUSINESS REGULATION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, Chapter 1127 of the Codified Ordinances of the City of South Euclid, Ohio provides for the regulation of, among others, solicitors, and peddlers; and

WHEREAS, Section 1127.07 allows for resident prohibition by notice; and

WHEREAS, the Council of the City of South Euclid wishes to expand the resident prohibition by notice to include a "Do Not Knock Registry"; and

WHEREAS, the Council wishes to enlist the Northeast Ohio Public Energy Council ("NOPEC") to administer said "Do Not Knock Registry" at no cost to the City of South Euclid or its residents.

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

Section 1: That Section 1127.07 "Trespassing in Violation of Posted Signs" of Chapter 1127 "Canvassing, Soliciting or Peddling for Residential Sales of Property and for Charitable Purposes" of Part Eleven "Business Regulation Code" of the Codified Ordinances of the City of South Euclid, Ohio, be and the same is hereby amended to read as follows:

"1127.07 TRESSPASSING IN VIOLATION OF POSTED SIGNS"

No person while engaged in any canvassing, solicitation or peddling, shall knock at the door or ring the bell of any home, apartment, apartment building or other dwelling unit in the City **that appears on a "Do Not Knock Registry" or upon which is displayed at the entrance a notice which reads "No Canvassers, Solicitors or Peddlers Allowed," or "Do Not Knock" sticker or similar words**, which otherwise clearly purports to prohibit canvassers, solicitors or peddlers on the premises, unless such canvasser, solicitor or peddler is, or has been invited upon the premises by the owner, lessee or occupant thereof.

- a) **If requested by the City, and for as long as the Northeast Ohio Public Energy Council ("NOPEC") shall agree to do so, NOPEC shall establish and maintain for the City a "Do Not Knock Registry" ("Registry") and is authorized to contact individuals on the Registry to distribute "Do Not Knock" stickers to them at no cost to the City or the individuals and contact individuals to update list each year.**
- b) **The decision of whether to place a residence, house, apartment or other dwelling on the "Do Not Knock Registry" shall be solely that of the lawful possessor and occupant thereof.**
- c) **Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may request NOPEC to place and maintain his or her residence, house, apartment or other dwelling on the "Do Not Knock Registry" by submitting a request on form(s) supplied by the City, or by submitting a request online at www.blocktheknock.com or at a Block the Knock community event, which shall contain the following information:**
 - 1) **The name and signature of the person completing the form(s), unless the submission is done electronically;**
 - 2) **The complete address of the residence, house, apartment or other dwelling to be placed on the Do Not Knock Registry;**

- 3) A valid email address of the person completing the form(s);
 - 4) The Date the form was completed;
 - 5) A statement that “No Solicitors or Peddlers” shall call at this address or words of similar import.
- d) A residence, house, apartment or other dwelling, after being lawfully placed on the “Do Not Knock Registry,” shall remain on said registry until the earliest of any of the following:
- 1) The City or NOPEC receives notice of removal pursuant to subsection (e) hereof; or
 - 2) The City or NOPEC receives formal notice that the person who submitted the form pursuant to subsection (c) hereof is not or is no longer a lawful possessor and occupant of the premises.
- e) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling may request the City or NOPEC to remove his or her residence, house, apartment or other dwelling from the “Do Not Knock Registry” by submitting a “Notice of Removal” form(s) supplied by the City, or by submitting a request online to www.blocktheknock.com which shall contain the following information:
- 1) The name and signature of the person completing the form;
 - 2) The complete address of the residence, house, apartment or other dwelling to be removed from the registry;
 - 3) The Date the form was completed; and
 - 4) A statement that the residence be removed from the “Do Not Knock Registry.”
- f) A copy of the “Do Not Knock Registry” shall be made available for public inspection at all times during normal business hours at the office of the Director of Finance and the Police Department of the City South Euclid and shall be given to every person who applies for and is granted a license pursuant to Chapter 1127 of the City of South Euclid Codified Ordinances or registers as a solicitor or peddler pursuant to that Chapter.

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 shall take effect and be enforced from and after the earliest period allowed by law and upon signature of 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

ORDINANCE NO.: 09-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

June 8, 2020

AN ORDINANCE

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the previous updating and revision of the Codified Ordinances and have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law.

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

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the City so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
06-19	5-13-19	772.09
08-19	4-8-19	1411.081
09-19	5-28-19	529.11

Section 2. That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

333.03, 335.073, 335.09, 335.20, 337.27, 339.01, 339.07, 373.03, 373.10, 517.17, 529.07, 541.11, 549.01

Section 3. That pursuant to Article II, Section 5(d), of the City Charter, Ohio R.C. 731.23 and Section 113.05 of the Codified Ordinances, the Clerk of Council shall publish the number, title and date of passage of this Ordinance, twice on the same day of two successive weeks in a newspaper of general circulation within the City, and, further, shall post a certified copy of this Ordinance, together with such summary, for at least fifteen days in a public place in the City Hall.

Section 4. 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 Ohio R.C. Section 121.22.

Section 5. That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for the further reason that it will update the codification of the legislation of the City, consistent with the City Charter and with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City, enforce law and order and avoid practical and legal entanglements. Wherefore, this Ordinance and the 2019 Replacement Pages for the Codified

Ordinances hereby approved, adopted and enacted, 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 _____, 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

EXHIBIT A
SUMMARY OF NEW MATTER
CONTAINED IN THE 2019 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF SOUTH EUCLID, OHIO

New matter in the 2019 Replacement Pages for the Codified Ordinances of South Euclid, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
333.03	Maximum speed limits; assured clear distance ahead.
335.073	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
335.09	Display of license plates; registration.
335.20	Removal of vehicles after accidents.
337.27	Drivers and passengers required to wear seat belts; penalty.
339.01	Oversize or overweight vehicle operation on State routes; State permit.
339.07	Towing requirements; exception to size and weight restrictions.
373.03	Attaching bicycle or sled to vehicle.
373.10	Motorized bicycle operation, equipment and license.
517.17	Skill-based amusement machines; prohibited conduct.
529.07	Open container prohibited.
541.11	Railroad vandalism; criminal trespass; interference with operation of train; grade crossing device vandalism.
549.01	Definitions relating to weapons and explosives.