

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
July 13, 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:
gWDE4GJtJ35 (49334458 from phones and video systems)

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES June 8, 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

Committee of the Whole

1. Resolution 37-20 Submitting the question of renewing an existing tax levy 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, to the electors of the City of South Euclid. **Second Reading.**

9. LEGISLATION REQUESTED BY CITY COUNCIL

1. Ordinance 09-20 Creating Section 505.22 "Feeding of Wildlife and Stray Animals Prohibited" of Chapter 505 "Animals and Fowl" of Part Five "General Offenses Code" of the Codified Ordinances of the City of South Euclid, Ohio. First Reading.

10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Resolution 38-20 Authorizing the appropriation of unappropriated funds in the following fund: "Local Coronavirus Relief Fund #925" for expenditures related to the Coronavirus Aid, Relief and Economic Security (CARES) Act. First Reading.

2. Resolution 39-20 Authorizing the Mayor to enter into an agreement with the City of University Heights to share proportionate costs and engineering services associated with the 2021 Cedar Road Resurfacing Project. First Reading.
3. Resolution 40-20 Authorizing the appropriation of unappropriated funds in the amount of \$211,213 in the "Road Improvement Fund #425" for the Hinsdale Road Community Development Block Grant Fund Resurfacing Project. 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.: 37-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

June 22, 2020

A RESOLUTION

SUBMITTING THE QUESTION OF RENEWING AN EXISTING TAX LEVY 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, TO THE ELECTORS OF THE CITY OF SOUTH EUCLID.

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, in the amount of two and one-half (2.5) mills for five (5) years.

Section 2: That the question of Renewing the existing levy of two and one-half (2.5) mills (the last collection of which existing tax is occurring in calendar year 2020) 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, for five (5) years beginning with the tax list and duplicate for the year 2020, the proceeds of which levy first would be available to the City in the calendar year 2021, be submitted under the provisions of Section 5705.19, Ohio Revised Code, to the electors of the City of South Euclid at the election to be held therein on the 3rd day of November, 2020, as authorized by law, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Cuyahoga County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section 3: That the form of ballot to be cast at the election on the question of this tax levy shall be substantially as follows:

PROPOSED TAX LEVY (RENEWAL)
CITY OF SOUTH EUCLID, OHIO

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

A RENEWAL OF AN EXISTING LEVY TO CONSTITUTE A TAX FOR THE BENEFIT OF THE CITY OF SOUTH EUCLID 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, AT A RATE NOT EXCEEDING 2.5 MILLS FOR EACH ONE DOLLAR OF VALUATION WHICH AMOUNTS TO 25 CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION FOR FIVE YEARS COMMENCING IN 2020 FIRST DUE IN CALENDAR YEAR 2021.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

Section 4: That the Clerk of Council is hereby authorized and directed to give or cause to be given notice of said election as provided by law.

Section 5: That the Clerk of Council is hereby authorized and directed to certify a copy of this Resolution immediately after adoption, and on or before August 10, 2020, to the Board of Elections of Cuyahoga County, Ohio.

Section 6: 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 7: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that this Resolution must be adopted and certified to the Board of Elections on or before August 10, 2020, in order to submit the proposed levy to the electors at an election to be held on November 3, 2020; 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, Council President

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: Hardy

July 13, 2020

AN ORDINANCE

CREATING SECTION 505.22 "FEEDING OF WILDLIFE AND STRAY ANIMALS PROHIBITED" OF CHAPTER 505 "ANIMALS AND FOWL" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid desires to regulate and abate the nuisances caused by the feeding of certain wildlife and stray animals in the City of South Euclid, Ohio.

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

Section 1: That Section 505.22 "Feeding of Wildlife and Stray Animals Prohibited" of Chapter 505 "Animals and Fowl" of Part Five "General Offenses Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby created to read as follows:

SECTION 505.22 – FEEDING OF WILDLIFE AND STRAY ANIMALS PROHIBITED.

(a) No person shall provide food for dogs, cats, deer, geese, ducks, raccoons, fowl, or other wild animals or wildlife by setting such food out on any public property or within a fifteen-yard radius of any private residence or public roadway. This section does not apply to animals owned by a person or songbirds fed from an elevated stationary feeder, which is at least sixty inches from ground level and built of such design and construction as to minimize the potential for food and/or seed from spilling or dropping to the ground.

(b) No person shall purposely or knowingly feed, cause to be fed, or provide food for wild white-tail deer in any location where undomesticated animals can access such food, whether by hand or through ground-feeding stations, salt licks or other established mechanisms to feed wild white-tail deer, on lands publicly or privately owned.

(c) This section shall not apply to a law enforcement officer, game officer or conservation officer enforcing the laws of the State of Ohio or any local ordinances, nor to anyone officially authorized by the City to engage in an animal control program.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree for the first offense and a misdemeanor of the first degree for each subsequent offense. A separate offense shall be deemed committed on each day on or during which a violation of this ordinance occurs.

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 is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City and therefore should be adopted at the earliest possible time. Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2020

Joe 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.: 38-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

July 13, 2020

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "LOCAL CORONAVIRUS RELIEF FUND #925" FOR EXPENDITURES RELATED TO THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT.

WHEREAS, City Council has approved Ordinance 07-20 establishing and regulating the Local Coronavirus Relief Fund #925 for expenditures related to the Federal Coronavirus Aid, Relief and Economic Security (CARES) Act; and

WHEREAS, the City of South Euclid's allocation from the State of Ohio from the Federal CARES Act in the amount of \$694,639.86 has been received from Cuyahoga County to cover costs consistent with the requirements of Section 5001 of the CARES Act described in 42 U.S.C. 601(d); and

WHEREAS, Pursuant to Am. S.G. No. 310, NOW H.B. 481, 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; and

WHEREAS, Pursuant to Am. S.B. No. 310, Now H.B. 481, 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.

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

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the "Local Coronavirus Relief Fund #925" in the amount not to exceed \$694,639.86 for expenditures related to the Federal Coronavirus Aid, Relief and Economic Security Act (CARES).

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 _____, 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.: 39-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

July 13, 2020

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF UNIVERSITY HEIGHTS TO SHARE PROPORTIONATE COSTS AND ENGINEERING SERVICES ASSOCIATED WITH THE 2021 CEDAR ROAD RESURFACING PROJECT.

WHEREAS, the City wishes to move forward with the planned 2021 resurfacing of Cedar Road from South Green Road to the City’s western border near Washington Blvd; and

WHEREAS, the City has achieved significant cost savings by collaborating with Cuyahoga County and the City of University Heights; and

WHEREAS, the City of South Euclid desires to enter into an agreement with the City of University Heights to share proportionate project costs and engineering services, a copy of which is attached hereto.

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 City of University Heights for the sharing of engineering services and proportionate costs, 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 _____, 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.: 40-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

July 13, 2020

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE AMOUNT OF \$211,213 IN THE "ROAD IMPROVEMENT FUND #425" FOR THE HINSDALE ROAD COMMUNITY DEVELOPMENT BLOCK GRANT FUND RESURFACING PROJECT.

WHEREAS, the City of South Euclid has been awarded a Community Development Block Grant from Cuyahoga County in the amount of \$150,000 for the Hinsdale Road Resurfacing Project in the City of South Euclid; and

WHEREAS, on June 29, 2020 the City of South Euclid received and opened four bids for the subject project with the lowest and best bid in the amount of \$211,213; and

WHEREAS, funds must be appropriated to pay for the road resurfacing project, which includes the CDBG grant award of \$150,000, which will be reimbursed by Cuyahoga County through Community Development Block Grant Funds upon completion of the project.

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

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the Road Improvement Fund #425 for the "Hinsdale Road Community Development Block Grant Fund Resurfacing Project in an amount not to exceed \$211,213.00.

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 _____, 2020.

Joe 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