

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
October 12, 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:

Esf4sRWpJ24 (37347797 from phones and video systems)

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES** September 14, 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 COUNCIL COMMITTEES**

1. Resolution 49-20 A Resolution authorizing the Mayor to enter into an Energy Savings Performance Contract with Leopardo, and declaring an emergency. First Reading.
2. Resolution 50-20 A Resolution approving and authorizing a ground lease and lease-purchase agreement and related documents providing for constructing and installing a city-wide energy conservation project, including all necessary appurtenances thereto, authorizing and approving related matters, and declaring an emergency. First Reading. ***(part one of two resolutions regarding the ground lease and lease purchasing agreement)***.
3. Resolution 51-20 A Resolution approving and authorizing a ground lease and lease-purchase agreement and related documents providing for constructing and installing a city-wide energy conservation project, including all necessary appurtenances thereto, authorizing and approving related matters, and declaring an emergency. First Reading. ***(part two of two resolutions regarding the ground lease and lease purchasing agreement)***.

9. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Ordinance 19-20 Authorizing the Mayor of the City of South Euclid, Ohio to enter into an agreement with the Cuyahoga County Board of Health for Public Health Services for Fiscal Year 2021. First Reading.
2. Resolution 52-20 Authorizing the appropriation of unappropriated funds in the following fund: "General Fund-Service Department-Animal Control #101-6610-52362" for the 2020-2021 Deer Control Program. First Reading.
3. Resolution 53-20 Requesting from the County Auditor a tax advance from the proceeds of the 2020 tax year collection; and declaring an emergency. First Reading.
4. Resolution 54-20 Authorizing the Director of Community Services to apply for a grant under the Cuyahoga County "Competitive Municipal Program": 2020 Community Development Block Grant Fund; and declaring an emergency. First Reading.
5. Resolution 55-20 Authorizing the transfer of unappropriated funds in the General Fund #101 to the Road Improvement Fund #425 for engineering and design costs related to the 2021 Cedar Road Improvement Project in the cities of South Euclid and University Heights, Ohio. First Reading.
6. Resolution 56-20 Authorizing the appropriation of unappropriated funds in the following fund: "Road Improvement and Resurfacing Fund #425" for engineering and design costs related to the 2021 Cedar Road Improvement Project in the cities of South Euclid and University Heights, Ohio. First Reading.
7. Resolution 57-20 Authorizing the City Engineer to prepare the necessary plans, specifications, and bid documents for the 2021 Cedar Road Resurfacing Project; and declaring an emergency. First Reading.

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

11. COMMUNICATIONS OF CITY COUNCIL

12. ADJOURN

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 49-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor, Frank & Gray

October 12, 2020

A RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE CONTRACT WITH LEOPARDO, AND DECLARING AN EMERGENCY

WHEREAS, the City of South Euclid desires to implement energy conservation measures pursuant to Section 717.02 of the Ohio Revised Code and adopted legislation which selected Leopardo as the vendor to prepare an energy conservation report in accordance with Section 717.02(B); and

WHEREAS, Leopardo has presented their energy conservation report (the Report) to the City; and

WHEREAS, City Council desires to enter into a contract with Leopardo to implement those energy conservation measures that are most likely to result in the greatest energy savings considering the costs of the project and the City's ability to pay for the improvements with current revenues or by financing (energy Conservation Measures).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF THE CITY OF SOUTH EUCLID, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1: Council hereby finds that the amount of money spent on the Energy Conservation Measures is not likely to exceed the amount of money the City would save in energy, operating, maintenance, and avoided capital costs over the average system life of the Energy Conservation Measures as specified in the Report. Based upon this finding, Council hereby authorizes the Mayor to enter into a contract with Leopardo, in an amount not to exceed \$_____, to implement the Energy Conservation Measures in accordance with Ohio Revised Code 717.02 (C)(2)(b) and pursuant to terms and conditions approved by the Director of Law and substantially in the form on file in the office of the Director of Law and the Clerk of Council, with such changes as shall not be materially adverse to the City and as approved by the Director of Law, all of which shall be conclusively evidenced by the execution thereof.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

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 _____, 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.: 50-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor, Frank & Gray

October 12, 2020

A RESOLUTION

A RESOLUTION APPROVING AND AUTHORIZING A GROUND LEASE AND LEASE-PURCHASE AGREEMENT AND RELATED DOCUMENTS PROVIDING FOR CONSTRUCTING AND INSTALLING A CITY-WIDE ENERGY CONSERVATION PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AUTHORIZING AND APPROVING RELATED MATTERS, AND DECLARING AN EMERGENCY

WHEREAS, The City of South Euclid desire to implement energy conservation measures pursuant to Section 717.02 of the Ohio Revised Code and adopted Resolution 08-20 which selected Leopardo as the vendor to prepare an energy conservation report in accordance with Section 717.02(B); and

WHEREAS, Leopardo has presented their energy conservation report (the Report) to the City; and

WHEREAS Resolution 49-20 authorized the Mayor to enter into a contract with Leopardo, in an amount not to exceed \$_____, to implement the energy conservation measures in accordance with Ohio Revised Code 717.02 (C)(2)(b); and

WHEREAS, This Council has determined to provide for financing to pay costs of constructing and installing a City-wide energy conservation project, including all necessary appurtenance thereto (the "Improvements"); and

WHEREAS, It may be necessary for the City to enter into one or more ground leases, lease-purchase agreements, and other agreements in order to finance the cost of the Improvements; and:

WHEREAS, In order to implement the financing arrangements with respect to the Improvements, it may be necessary for the City to take actions in Section 1 of this legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF THE CITY OF SOUTH EUCLID, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1: Council hereby finds that the most advantageous way to finance the Improvements is through a ground lease and lease-purchase agreement and related documents (the "Agreements"). Based on this finding, Council hereby authorized the Mayor or Finance Director or other authorized officer to enter into the Agreements, in an amount not to exceed \$_____, to finance the Improvements and pursuant to terms and conditions approved by the Director of Law and substantially in the form on file in the office of the Director of Law and the Clerk of Council, with such changes as shall not be materially adverse to the City and as approved by the Director of Law, all of which shall be conclusively evidenced by the execution thereof.

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.: 51-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor, Frank & Gray

October 12, 2020

A RESOLUTION

AN RESOLUTION APPROVING AND AUTHORIZING A GROUND LEASE AND LEASE-PURCHASE AGREEMENT AND RELATED DOCUMENTS PROVIDING FOR CONSTRUCTING AND INSTALLING A CITY-WIDE ENERGY CONSERVATION PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO, AUTHORIZING AND APPROVING RELATED MATTERS, AND DECLARING AN EMERGENCY

WHEREAS, This Council has determined to provide for financing to pay costs of constructing and installing a City-wide energy conservation project, including all necessary appurtenance thereto (the "Improvements"); and

WHEREAS, It may be necessary for the City to enter into one or more ground leases, lease-purchase agreements and other agreements in order to finance the cost of the Improvements; and

WHEREAS, In order to implement the financing arrangements with respect to the Improvements, it may be necessary for the City to take the following actions:

A. Sign and deliver a ground lease (the "Ground Lease") under which the City will convey to an entity as determined by an authorized officer of the City (which may include the Mayor or Finance Director or other appropriate City official, and each such officer herein referred to as an "Authorized Officer") to be appropriate and in the best interest of the City to serve in that role (the "Lessor"), a leasehold interest in the real property and improvements thereon (the "Project Site") for a term of not more than five years longer than the term of the related Facilities Lease described below;

B. Sign and deliver a lease-purchase agreement (the "Facilities Lease") under which the City (a) will sublease the Project Site and lease the Improvements located on the Project Site (collectively, with the Project Site, the "Leased Property") from the Lessor for an Initial Term and for Renewal Terms (each a "Lease Term"), as defined in the Facilities Lease, upon appropriations being made by this Council of funds sufficient to enable the City to pay the Base Rent, as defined in the Facilities Lease, during the Renewal Terms and (b) will have an obligation, which will constitute a "public obligation" as defined in Section 133.01 of the Revised Code, to pay Base Rent during each Lease Term subject to such appropriations;

C. Approve, if necessary, an assignment of leases (the "Assignment") between the Lessor and the Trustee, pursuant to which the Lessor shall assign its interests in a Ground Lease and the related Facilities Lease to the Trustee;

D. Approve, if necessary, a trust agreement (the "Trust Agreement") between the Lessor and a bank or trust company determined by an Authorized Officer to be in the best interest and financial advantages of the City to act in such capacity (the "Trustee"), pursuant to which a) the Lessor will direct the Trustee to and the Trustee will issue and sell Certificates of Participation (the "Certificates") in the payments of Base Rent to be made by the City under a Facilities Lease, which Certificates will constitute "fractionalized interests in public obligations", as defined in Section 133.01 of the Revised Code, and (b) proceeds of the sale of the Certificates will be used to pay the costs of Improvements;

E. Sign, if necessary, a certificate purchase agreement (the "Purchase Agreement") among the original purchaser of the Certificates (the "Original Purchaser"), the City, and the Trustee setting forth the purchase price and other terms upon which the Original Purchaser will purchase the Certificates from the Trustee; and

F. Sign, if necessary, a placement agent agreement (the "Placement Agreement") between the City and an investment bank or other company determined by an Authorized Officer to be in the best interest and financial advantages of the City to act in such capacity (the "Placement Agent").

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

CUYAHOGA COUNTY, OHIO, THAT:

Section 1: The Authorized Officers identified in Recital A above are each authorized to sign and deliver the Ground Lease and the Facilities Lease and to signify approval of the Assignment and the Trust Agreement in form and substance not inconsistent with this Ordinance and deemed advisable by such Authorized Officers such to be conclusively evidenced and determined by the execution thereof. The Ground Lease, the Facilities Lease, the Assignment and the Trust Agreement are hereby approved in form and substance not inconsistent with this Ordinance and deemed advisable the Authorized Officer or Officers executing them as shall be conclusively evidenced and determined by the execution thereof.

Section 2: This Council hereby determines that the Leased Properties are essential to the City including but not limited to its proper, efficient and economic operation and the public welfare.

Section 3: Any Authorized Officer is hereby authorized to determine, having due regard for the best interest of and financial advantages to the City, (i) the buildings to be leased pursuant to the Ground Lease and Facilities Lease, (ii) the Lease Term for the Facilities Lease, the final Renewal Term for which shall end not more than 30 years after the Commencement Date (as defined in the Facilities Lease) of the Initial Term, (iii) the term for the Ground Lease, which shall be five years longer than the Lease Term for the related Facilities Lease, (iv) the prepayment terms for the Facilities Lease, provided that any prepayment premium shall not exceed 2% of the principal component of the amount prepaid, and (v) the Base Rent (as defined in the Facilities Leases) for the Facilities Lease, provided, that: the aggregate principal components of the Base Rent for the Initial Term and all Renewal Terms for the Facilities Lease shall not exceed \$_____; and the weighted average of the aggregate interest components of the Base Rent for the Initial Term and all Renewal Terms for the Facilities Lease shall not exceed 5.0% per year.

The City acknowledges that the principal component of the Facilities Lease shall be equal to the principal amount of the Certificates (net of any original issue discount) if issued under a related Trust Agreement and that the principal component of the Facilities Lease shall be that amount that, together with other funds to be made available for the purpose, shall be sufficient to pay the cost of the Improvements, including without limitation, the cost of providing any reserves that the Authorized Officer determines are necessary and appropriate for the Certificates to be issued on the terms most favorable to the City as the payor on the public obligations in which the Certificates constitute fractionalized interests (which determination shall be confirmed by the Authorized Officer by the signing of the Purchase Agreement and/or Placement Agreement), and the costs of issuance of the Certificates, and which the Authorized Officer determines are necessary and reasonable in light of the character Certificates (which determination shall be confirmed by the Authorized Officer by the signing of the Purchase Agreement and/or the Placement Agreement).

The City further acknowledges that the payment schedules for any Certificates shall include interest components on the principal amount thereof that shall be based upon the interest components of the Base Rent payable under the related Facilities Lease. The Certificates, if any, issued under the Trust Agreement may be issued in one or more series that may differ as to interest rate components, credit enhancement, priority of payment and other terms. The Base Rent to be payable under and in accordance with the

Facilities Lease during the Initial Term of that Facilities Lease and any Renewal Terms, shall be an amount sufficient to cover the amount of principal component and interest component of the outstanding related Certificates of any series that are due and payable during that Initial Term or Renewal Term, and such Base Rent shall be specified or determined in an exhibit to the related Facilities Lease; provided, however, that the City's payment of Base Rent under the Facilities Lease is subject to appropriation and certification as provided in the Facilities Lease and nothing in the Facilities Lease, the related Certificates (if any) or the related Trust Agreement constitutes a debt of the Lessee or a pledge by the Lessee, or an obligation of the Lessee, of any taxes or other money to the payments due thereunder.

Any Authorized Officer is authorized to sign and deliver, ² in the name and on behalf of the City, a Purchase Agreement and/or a Placement Agreement, if necessary, in form and substance consistent with this Ordinance, setting forth, with respect to the Facilities Lease, the schedule of Base Rent and the principal components and interest components thereof, and the costs of issuance of the Certificates and any reserves for the Certificates. The Purchase Agreement and Placement Agreement are approved in such forms that are not inconsistent with this Ordinance and not substantially adverse to the City and as approved by the Authorized Officer signing on behalf of the City, all of which shall be conclusively evidenced by the signing thereof or amendments thereto.

Section 4: The proceeds from the sale of any Certificates or proceeds from the Facilities Lease, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Certificates are being issued or Facilities Lease executed. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

The Authorized Officers are each hereby authorized to take any and all other actions and to sign and deliver any and all other instruments, agreements, certificates and documents as may in their judgment be necessary, desirable, advisable or appropriate in connection with the signing and delivery of the Ground Lease and the

Facilities Lease, the signing and delivery of the Certificates by the Trustee and the purchase of the Certificates by the Original Purchaser in order to give effect to the transactions contemplated to be performed on the part of the City under the Ground Lease, the Facilities Lease and the Placement Agreement and Purchase Agreement, if any.

The expenditure of the amounts necessary to pay the financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Certificates and the Facilities Lease, to the extent not paid by in accordance with the Purchase Agreement or Placement Agreement, is authorized and approved, and each Authorized Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Certificates or Facilities Lease, to the extent available, and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 5: Any Authorized Officer having responsibility for signing the Facilities Lease, is, alone or in conjunction with any of the foregoing or with any other officer or employee of the City, authorized to cooperate with the original purchaser and the Trustee (if any) by making, on behalf of the City, such covenants and representations in the Facilities Lease as are appropriate and necessary so that (a) the Facilities Lease and any related Certificates will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) be treated other than as obligations to which Section 103 of the Code applies, (b) the interest components of Base Rent payable under the Facilities Lease and interest on any related Certificates will not be treated as an item of tax preference for purposes of the federal alternative minimum tax imposed on certain individuals and corporation, (c) the City will take or cause to be taken such actions that may be required of it for the interest components of Base Rent payable under the Facilities Lease and interest on any related Certificates to be and to remain excluded from gross income for federal income tax purposes, (d) the City will not take or authorize to be taken any actions that would adversely affect that exclusion, and (e) the City, or persons acting for it, will, among other acts of compliance, (i) apply or cause the application of the proceeds of the Certificates or Facilities Lease to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Any Authorized Officer of the City having responsibility for signing of the Facilities Lease is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Facilities Lease and the related Certificates as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Facilities Lease and any Certificates or the interest components thereof or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the Base Rent payable under the exclusion of interest from gross income and the intended tax status of the interest components of the Facilities Lease and interest on any related Certificates, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript for the Certificates or Facilities Lease, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds from the Facilities Lease or sale of the Certificates, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest component of Base Rent payable under the Facilities Lease and the tax status of any related Certificates.

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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: 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.: 19-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

AN ORDINANCE

AUTHORIZING THE MAYOR OF THE CITY OF SOUTH EUCLID, OHIO TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2021.

WHEREAS, it is the desire of this Council to enter into an agreement with the Board of Health of Cuyahoga County to provide for public health services for the City in 2021.

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

Section 1: That the Mayor of the City of South Euclid, be and she is hereby authorized to execute an agreement with the Cuyahoga County Board of Health providing for public health services within the City of South Euclid, Ohio for Fiscal and Calendar Year 2021 (A copy of which is attached hereto 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 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 hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. Such necessity exists by reason of the fact that immediate action to the obtaining of health services for the City is required, and the foregoing must 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.

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.: 52-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND-SERVICE DEPARTMENT-ANIMAL CONTROL #101-6610-52362" FOR THE 2020-2021 DEER CONTROL PROGRAM.

WHEREAS, City Council desires to participate in the United States Department of Agriculture's Deer Wildlife Management Program; and

WHEREAS, Resolution 44-20 authorizing the Mayor to enter into an agreement with USDA in an amount not to exceed \$32,000 was approved on September 26, 2020; and

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 "General Fund-Service Department – Animal Control Fund #101-6610-52362" in an amount not to exceed of \$32,000 for the 2020-2021 USDA Deer Control Program.

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: 53-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

REQUESTING FROM THE COUNTY AUDITOR A TAX ADVANCE FROM THE PROCEEDS OF THE 2020 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 2020 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 _____, 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.: 54-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO APPLY FOR A GRANT UNDER THE CUYAHOGA COUNTY "COMPETITIVE MUNICIPAL PROGRAM": 2020 COMMUNITY DEVELOPMENT BLOCK GRANT FUND; AND DECLARING AN EMERGENCY.

WHEREAS, the City of South Euclid, Ohio wishes to apply for Community Development Block Grant Funds made available through the Cuyahoga County Department of Development for the purpose of resurfacing Harwood Road in the City's qualified Improvement Target Area and Low-Moderate Income designated area.

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

Section 1: That the Mayor be and she and the Director of Community Services are hereby authorized to submit an application for funds for a Community Development Block Grant to the Cuyahoga County Department of Development.

Section 2: That the Mayor and the Director of Finance are hereby authorized and directed to enter into such agreements with Cuyahoga County as may be necessary for the application for and receipt of Community Development Block Grant Funds and related funding, as provided by law. Said agreements shall be in substantially the same form as approved by the Director of Law.

Section 3: That the Clerk be and is hereby authorized and directed to transmit a certified copy of this Resolution to the Cuyahoga County Department of Development.

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 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 effected thereby. This Resolution shall take effect upon passage and approval.

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.: 55-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

AUTHORIZING THE TRANSFER OF UNAPPROPRIATED FUNDS IN THE GENERAL FUND #101 TO THE ROAD IMPROVEMENT FUND #425 FOR ENGINEERING AND DESIGN COSTS RELATED TO THE 2021 CEDAR ROAD IMPROVEMENT PROJECT IN THE CITIES OF SOUTH EUCLID AND UNIVERSITY HEIGHTS, OHIO.

WHEREAS, the on July 13, 2020 City Council approved Resolution 39-20 entering into an agreement with the City of University Heights for the resurfacing of Cedar Road in 2021; and

WHEREAS, in order to proceed with proceed funds must be transferred from the General Fund to the Road Improvement and Resurfacing Fund in order to proceed with engineering and planning costs associated with the project; and

WHEREAS, the total cost to complete necessary plans and engineering is estimated to be \$109,276 with South Euclid's share \$32,782.50 (30%) and University Heights share \$76,942.50 (70%); and

WHEREAS, upon completion, the City of South Euclid will be reimbursed \$76,942.50 from the City of University Heights for their percentage of the project pursuant to the Project Agreement approved by City Council in July 2020; and

WHEREAS, the Council of the City of South Euclid, Ohio acknowledges that the Ohio Revised Code requires a resolution authorizing the transfer of funds.

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 transfer unappropriated funds from the General Fund #101 to the following fund in the amount below for the purpose of the "Cedar Road Resurfacing Project"

- | | |
|--|--------------|
| 1. Road Improvement and Resurfacing Fund #425: | \$109,276.00 |
|--|--------------|

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.

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.: 56-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "ROAD IMPROVEMENT AND RESURFACING FUND #425" FOR ENGINEERING AND DESIGN COSTS RELATED TO THE 2021 CEDAR ROAD IMPROVEMENT PROJECT IN THE CITIES OF SOUTH EUCLID AND UNIVERSITY HEIGHTS, OHIO.

WHEREAS, City Council has approved Resolution 55-20 transferring \$109,276.00 to the Road Improvement and Resurfacing Fund; and

WHEREAS, the funds must be appropriated in order to proceed with engineering and planning costs associated with the project; and

WHEREAS, the total cost for said services shall be an amount not to exceed \$109,276.00, of which \$76,942.50 shall be reimbursed by the City of University Heights for their 70% share of estimated cost.

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 and Resurfacing #425" Fund in the amount of \$109,276.00 for engineering and design costs associated with the 2021 Cedar Road Improvement Project.

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.: 57-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

October 12, 2020

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND BID DOCUMENTS FOR THE 2021 CEDAR ROAD RESURFACING PROJECT; 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 bid documents for the 2021 Cedar Road Resurfacing Project in collaboration with the City of University Heights.

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 _____, 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