THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING
November 9, 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:
28pUgPtdpS3 (28784783 from phones and video systems)

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1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES** — October 12, 2020; October 26, 2020 & October 30, 2020 Special Meeting.

4. **REPORT OF MAYOR**

5. **REPORT OF LAW DIRECTOR & DEPARTMENTAL HEADS**

6. **REPORT OF SCHOOL DISTRICT**

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

8. **REPORT OF 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. **Second 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)***. **Second Reading.**

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)***. **Second Reading.**

4. Ordinance 03-20 — Enacting New Section 732.03 "Tattoo and Body Piercing Businesses" of Chapter 732 "Conditional Uses In Commercial Districts" of Title Three "Commercial District Regulations" of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio. **Third Reading.**

9. LEGISLATION REQUESTED BY CITY COUNCIL

1. Resolution 63-20 — To protect and facilitate the right to peacefully protest, and to protect citizens from intimidation or harm. First Reading.

10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Ordinance 21-20 — To make appropriations for current expenses and other expenditures of the City of South Euclid, State of Ohio, during the fiscal year ending December 31, 2021; and declaring an emergency. First Reading.

2. Resolution 64-20 — Authorizing the Mayor to enter into a Member Community Infrastructure Grant Program (MCIP) Agreement with the Northeast Ohio Regional Sewer District for the Oakmount Road Infrastructure Improvement Project. First Reading.

3. Resolution 65-20 — Authorizing the City Engineer to prepare the necessary plans, specifications, and advertise for bids for the Oakmount Road Infrastructure Improvement Project in the City of South Euclid, Ohio; and declaring an emergency. 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.: 49-20 October 12, 2020
INTRODUCED BY: Frank As Approved by Committee-of-the-Whole
REQUESTED BY: Mayor, Frank & Gray Second Reading: November 9, 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 contact 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 **$6,241,040.00**, 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 files 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 the policy of Leopardo to take positive steps to maximize the utilization of minority business enterprises ("MBE") in all contract activity administered by the City of South Euclid. The Contractor will utilize its best efforts to carry out this policy in the award of subcontractors, suppliers, and vendors to the fullest extent consistent with the efficient performance of this contract. Leopardo understands it is the City's goal to obtain at least 10% MBE participation in the value of the project.

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 October 12, 2020
INTRODUCED BY: Frank As Approved by Committee-of-the-Whole
REQUESTED BY: Mayor, Frank & Gray Second Reading: November 9, 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 Revise 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 **$6,261,040.00**, 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 SOUTH EUCLID, COUNTY OF CUYAHOGA AND STATE OF OH1O, 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 **$6,261,040.00**, to finance the Improvements and pursuant to terms and conditions approved by the Director of Law and substantially in the form on files 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:

_____
Keith A. Benjamin, Clerk of Council

Approved:

_____
Georgine Welo, Mayor

Approved as to form:

_____
Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 51-20 October 12, 2020
INTRODUCED BY: Frank As Approved by Committee-of-the-Whole
REQUESTED BY: Mayor, Frank & Gray Second Reading: November 9, 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 appurtenances 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 "factionalized 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 (vi) 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 **$6,241,040.00**; 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, 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.

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:

_____
Keith A. Benjamin, Clerk of Council

Approved:

_____
Georgine Welo, Mayor

Approved as to form:

_____
Michael P. Lograsso, Director of Law

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 03-20 February 24, 2020
INTRODUCED BY: Frank As Recommended by Planning Commission: July 23, 2020
REQUESTED BY: Mayor Second Reading: September 14, 2020
As Amended by Zoning & Planning: October 26, 2020
Third Reading: November 9, 2020

AN ORDINANCE

ENACTING NEW SECTION 732.03 "TATTOO AND BODY PIERCING BUSINESSES" OF CHAPTER 732 "CONDITIONAL USES IN COMMERCIAL DISTRICTS" OF TITLE THREE "COMMERCIAL DISTRICT REGULATIONS" OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, as tattoo and body piercing businesses become more common throughout the State of Ohio, the reasonable regulation of such businesses is necessary to promote the health, welfare, and safety of the residents of South Euclid; and

WHEREAS, an improperly operated or unclean tattoo parlor or body piercing business location may have serious and detrimental effects upon the citizens of South Euclid; and

WHEREAS, the City of South Euclid can best inspect and oversee the operation of tattoo parlors and body piercing businesses in the City; and

WHEREAS, the State of Ohio and Cuyahoga County have adopted reasonable rules to regulate the sanitary operation of tattoo parlors and body piercing facilities; and

WHEREAS, this Council desires to adopt an Ordinance to enforce the regulations of the operation of tattoo parlors and body piercing facilities in the City by making such businesses a conditional use; and

WHEREAS, this legislation amending the zoning code was referred to the Planning Commission for review; and

WHEREAS, notice of a meeting on the aforesaid requested zoning amendment has been duly given, and a full meeting has been held thereon by the Planning Commission, pursuant to such notice and as prescribed by law; and

WHEREAS, upon holding a public hearing, Council deems that the aforesaid zoning amendment should be made and the same is conducive to the public health, safety, convenience and general welfare of the City.

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

Section 1: That New Section 732.03 "Tattoo and Body Piercing Businesses" of Chapter 732 "Conditional Uses in Commercial Districts" of Title Three "Commercial District Regulations" of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio, be and the same is hereby enacted to read as follows:

"732.03 TATTOO AND BODY PIERCING BUSINESSES"

(a) Definitions

1. "Board of Health" means the Cuyahoga County Board of Health.
2. "Body pierce," "body pierced," or "body piercing" refer to any method of invasive penetration of the skin for decorative purposes, including ear piercing except when the ear piercing procedure is performed with an ear piercing gun.
3. "Building Commissioner" shall mean the administrative official charged with the duty of administering the regulations of this Section, which promote the health, safety, and welfare of the citizens of the City of South Euclid.
4. "Business" means any entity that provides tattoo and/or body piercing services.

5. "Certificate of Occupancy" shall mean written approval from the Building Commissioner, or his/her authorized representative, that said tattooing and/or body piercing establishment has been inspected and meets all terms of this Section.

6. "Conditional Use Permit" shall mean a Permit approved by Council pursuant to Chapter 762 of these Codified Ordinances.

7. "Ear piercing gun" means a mechanical device that pierces the ear by forcing a disposable single-use stud or solid needle through the ear.

8. "Health Officer" shall mean a duly authorized employee of the Division of Environmental Health for the Cuyahoga County Board of Health.

9. "Operator" shall mean any individual, firm, company, corporation or association that owns or operates an establishment where tattooing and/or body piercing is performed, and/or any individual who performs or practices the art of tattooing and/or body piercing on the person of another.

10. "Tattoo," "tattooed," or "tattooing" refer to any method of placing designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other substance resulting in the coloration of the skin by the aid of needles and/or any other instruments designed to touch or puncture the skin.

11. "Tattoo parlor and/or body piercing establishment" means the location wherein tattooing and/or body piercing is performed.

(b) Location Requirements

The location for a tattoo parlor or body piercing establishment shall be governed by the following provisions:

1. Separation. No such use shall be established within one thousand feet (1,000) of a daycare center, preschool, elementary or secondary school, public library, church, outdoor or indoor playground, and public or nonprofit recreation center or community center.

2. Spacing. No such use shall be established within ~~five hundred feet (500)~~ **one thousand feet (1,000)** of another such use.

3. Appeals. The Board of Zoning Appeals may recommend approval of an application which does not meet the regulations of this Section if, after public notice and hearing, the Board determines that the proposed use, by virtue of its nature and location, will not adversely affect nearby residential areas or other protected uses listed in paragraph (1). Should the Board approve such an application, the applicant will still be subject to the conditional use process defined in Chapter 762 of the Codified Ordinances.

(c) Tattoo and Body Piercing Business as Conditional Use; Permit Required

A tattoo and/or body piercing business is hereby classified as a conditional use which may be permitted in the following city zoning districts; C-2 (General Commercial), C-3 (Special Commercial), M-1 (Limited Manufacturing), and M-2 (General Manufacturing), in accordance with the corresponding standards and requirements of the Planning and Zoning Code. A Conditional Use Permit issued pursuant to Chapter 762 of these Codified Ordinances shall be required in order to operate a tattoo parlor and/or body piercing business; said permit shall be effective for as long as the holder of the permit remains in operation and in compliance with the conditions listed in the permit. Said permit shall be automatically voided shall there be a change in ownership of the tattoo parlor or body piercing business. The new owners will be required to go reapply through the conditional use process in order to operate. When applying or reapplying for Conditional Use, the applicant shall provide a floor plan illustrating the proposed operation, a site plan indicating all on-site improvements, if any, a plan to comply with the requirements of Section 772 "Parking" and any additional information as requested by the Building Commissioner, Planning Commission, or City Council. A tattoo parlor or body piercing business shall be classified as a nonretail service for the purposes of calculating the parking space requirements. Notification of a public hearing held by the Planning Commission shall be given by the Secretary to all real properties within 500 feet of the property line of the parcel upon which the conditional use is requested. Said notice shall be by first class mail, postage prepaid.

(d) Permit Requirements

1. It shall be unlawful for any person to engage in the business of operating a tattoo parlor and/or body piercing establishment without first obtaining a Conditional Use Permit to engage in such business in accordance with the provisions hereof.

2. In addition to obtaining a Conditional Use Permit, an annual Certificate of Occupancy shall be required in accordance with Chapter 1607 of the Codified Ordinances

3. A tattoo parlor and/or body piercing establishment shall not be operated as a Home Occupation.

4. A copy of valid Cuyahoga County Board of Health tattoo and/or body piercing license is required prior to issuance of a Conditional Use Permit, Occupancy Permit, and Renewed Occupancy Permit.

5. The provisions of Chapters 3730 and 3734 of the Ohio Revised Code regulating tattooing and body piercing in the State of Ohio shall be applicable along with the provisions of this Chapter.

(e) Establishment Requirements

Each person, firm, or corporation who operates a tattooing or body piercing establishment within the City of South Euclid shall comply with the following requirements:

1. Tattooing and Body Piercing Room

A. The room in which tattooing and body piercing is done shall have an area of not less than one hundred (100) square feet. Each room in which tattooing or body piercing is performed shall accommodate only one customer at a time. The walls and floors shall have impervious, smooth, and washable surfaces, and shall not be subject to public view.

B. Toilet facilities shall be located within the tattoo parlor or body piercing establishment and shall be accessible at all times during operating hours. The lavatory(ies) shall have hot and cold running water, soap, and single use towels available at all times.

C. All tables and other equipment shall be constructed of impervious materials, with smooth, washable surfaces, and shall be separated from waiting customers or observers. No procedure may be performed in public view.

D. The entire premises and all equipment shall be maintained in a clean, sanitary condition and in good repair. Sufficient spotlight illumination shall be used to highlight the area to be tattooed or pierced.

E. A minimum of forty (40) foot candles of light must be provided at the level where tattooing is being performed.

2. Preparation and Procedure for Tattooing or Body Piercing

A. Written inquiry shall be made of the customer for a history of the following conditions: jaundice or hepatitis, swelling of the lymph nodes, AIDS or positive HIV test, skin disease or skin cancer at the site, hemophilia, allergies or anaphylactic reaction to dyes. Any individual indicating a history of any of the above shall not be tattooed nor have their body pierced.

B. Any individual who is inebriated or obviously under the effect of alcohol and/or drugs shall not be tattooed or have their body pierced.

C. The operator shall engage in proper hand washing and wear a clean, new pair of disposable gloves for each new customer.

D. Tattooing shall not be performed on the hands below the waist line, on the feet below the ankle line, on genitalia, scrotum or in the anal area. Tattooing shall not be undertaken over the site of a recent hypodermic injection.

E. Single service razors, safety razors, and straight edge razors are to be used in preparation for the procedure and must be properly discarded after use.

F. The area of the body to be tattooed or pierced shall first be thoroughly washed with warm water to which an antiseptic liquid soap has been added.

G. Petroleum jelly in a collapsible metal or plastic tube shall be used on the area to be tattooed and it shall be applied with a sterile gauze, tissue, or paper towel.

H. The use of styptic pencils, alum blocks, other solid styptic to check the flow of blood is prohibited.

I. Single service containers, pigments, inks, dyes, needles and other paraphernalia shall be properly discarded immediately after each procedure. Excessive pigment, dye, ink, liquids, or solutions shall be removed with individual sterile sponge or gauze and shall be immediately discarded in an approved manner. After completing the tattoo or body piercing procedure on any person, the tattooed area shall be washed with sterile gauze, cotton balls, tissue or paper towels saturated with an antiseptic soap solution or a seventy percent alcohol solution. The tattooed area shall be allowed to dry and a topical cream or antiseptic from a collapsible tube shall be applied using sterile gauze, tissue, or paper towel. A sterile gauze dressing or saran covering shall then be fastened to the tattooed area.

J. Operators performing tattooing or body piercing shall be immunized against the Hepatitis B virus in accordance with OSHA regulations for health care workers.

K. Written instructions on the care of the tattoo or body piercing, approved by the Cuyahoga County Board of Health, shall be given to each person who receives a tattoo or has been the subject of a body piercing.

L. Needles and other instruments used for body piercing shall be of the same gauge as the ornaments, jewelry or similar items that are or can be inserted through the opening created by the body piercing.

M. Tattooing and body piercing shall only be performed between the hours of 8:00 a.m. and 10:00 p.m.

3. Sterilization of Equipment and Storage

A. A steam sterilizer (autoclave) shall be provided for sterilizing multi-use instruments such as needle bars, grips and tubes, and other tattoo and body piercing equipment needing sterilization. Sterilization of equipment shall be accomplished by exposure to live steam for at least thirty (30) minutes at a minimum pressure of fifteen pounds per square inch (15 psi) with a temperature of two hundred fifty degrees Fahrenheit (250F). Autoclave indicator temperature strips or other similar devices shall be used to monitor autoclave performance with each use. Alternative sterilizing equipment and procedures may be used if specifically approved by the Board of Health.

B. Preparation of instruments for sterilization. After each tattoo procedure, the tattoo machine shall be placed in an ultrasonic type machine to remove the excess dye from the tubes and the needle bars. When this process is completed, the tubes and needle bars shall be removed from the tattoo machines. The tubes, grips, and needle bars shall then be placed into sterilizer bags or wrappers for sterilization by autoclaving.

C. All ready to use needles, needle bars, grips and tubes, and instruments shall be left in wrappers or sterilizer bags used during the autoclaving process. These wrapped items shall be stored in a closed cabinet or container when not in use. Such storage equipment shall be maintained in a safe and sanitary condition at all times.

D. The needles and instruments required to be sterilized shall be handled and used in such a way as to prevent contamination during the tattooing procedure.

(f) Keeping of Records

Permanent records of each patron or customer shall be maintained by the operator of the establishment. Before the tattooing and/or body piercing operation begins, the patron or customer shall be required to enter, on a record form provided for each establishment, the date, his or her name, address, age, and his or her signature. This data will be verified by requiring the patron to produce a valid state driver's license or other form of picture identification. The operator of the tattoo and/or body piercing establishment must affix his/her name to the record form and sign a statement verifying the performance of the duties required under this Chapter. Such records shall be maintained in the tattoo and/or body piercing establishment and shall be available for examination upon request by the Building Commissioner. Records shall be retained by the operator for a period of not less than five (5) years. In the event of a change in ownership or closing of the business, all such records shall be retained by the operator and made available to the Building Commissioner upon request.

(g) Disposal

1. All pigments, dyes, inks, or colors used in tattooing shall be sterile and free from bacteria, virus particles and noxious agents and substances. The pigments, dyes, and colors used from stock solutions for each customer or patron shall be obtained from an approved source, and shall be placed in a single-serve receptacle. Such receptacle and the remaining solution shall be discarded after use on each customer or patron.

2. All bandages and surgical dressings used in connection with the tattooing and/or body piercing of a person shall be sterile and disposed of in a manner which complies with Chapter 3734 of the Ohio Revised Code pertaining to infectious waste.

(h) Certificate of Inspection, Renewal, Annual Inspection

1. An applicant for a license to operate a tattooing and/or body piercing establishment shall first obtain a Conditional Use Permit, as approved by City Council.

2. The Building Commissioner shall issue a Certificate of Occupancy upon approval of the Conditional Use Permit, and approval from the Cuyahoga County Board of Health, the Fire

Department, and the Building Department that the establishment has been inspected and is in compliance with all provisions of this Section.

3. The Building Commissioner shall engage the Cuyahoga County Board of Health for the purpose of conducting annual and other periodic inspections, as may be necessary, and any tattooing and/or body piercing establishment for the purpose of determining whether or not said establishment, and the persons performing the art of tattooing and/or body piercing therein, are in compliance with all applicable provisions contained within this regulation and other pertinent regulations of the Board of Health. It shall be unlawful for any person or operator of a tattooing and/or body piercing establishment to willfully prevent or restrain an employee of the Cuyahoga County Board of Health, or his/her designee, from entering any licensed establishment where tattooing and/or body piercing is being performed for the purpose of inspecting said premises, after proper identification is presented to the operator.

4. The Building Commissioner shall renew the Certificate of Occupancy on an annual basis, provided the establishment is in compliance with the Conditional Use Permit, the Cuyahoga County Board of Health, all City of South Euclid laws and regulations, and the Ohio Revised Code. Said Certificate of Occupancy shall be posted within the tattoo and/or body piercing establishment to serve as public notice that said establishment has been inspected and is in compliance with the provisions of this Section.

(i) Limitations of Persons

1. It shall be unlawful to tattoo and/or body pierce any person who is known to have, or who shows signs of having, any communicable disease or any disease of the skin. This includes but is not limited to rashes, pimples, boils, infections or any manifestation or evidence of other unhealthy conditions.

2. It shall be unlawful for any tattoo and/or body piercing operator to be under the influence of alcohol and/or narcotic drug or drug of abuse when tattooing and/or body piercing.

3. It shall be unlawful to tattoo and/or body pierce any individual who is under eighteen (18) years of age, regardless of whether the operator knows this person to be less than eighteen (18) years of age, without the prior express written consent of such person's parent or guardian. The operator shall be considered strictly liable for any violation of this Section.

(j) Penalty

1. The City of South Euclid may suspend or revoke a Tattoo and/or Body Piercing Establishment Conditional Use Permit and/or Certificate of Occupancy for violation of any provision of this Section.

2. The provisions of this Section shall apply to all tattoo and/or body piercing establishments and/or tattoo and/or body piercing operators which are currently in existence, or which may come into existence after the effective date of this Section. The provisions of this Section shall not apply to a Physician licensed to practice medicine in the State of Ohio who is tattooing for a medical purpose.

3. In the event of conflict between any provisions of this Section and the Ohio Revised Code, including any rules and regulations adopted pursuant to this Section or the Ohio Revised Code, and any provisions of City Ordinances, including any rules and regulations adopted pursuant to such Ordinance, that provision which establishes the higher standard for the promotion or protection of the health or safety of the people shall govern.

4. Whoever violates any provisions of this Section shall be guilty of a misdemeanor of the first degree. Such person and/or business shall be deemed guilty of a separate offense for each and every day or portions thereof during which any violation of any of the provisions of this Section is committed, permitted or continued. This Section shall be enforced by the Director of Public Safety or designee, the Division of Police, and/or any public health official.

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:

_____
Keith A. Benjamin, Clerk of Council

Approved:

_____
Georgine Welo , Mayor

Approved as to form:

_____
Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 63-20
INTRODUCED BY: Frank
REQUESTED BY: Goodman

November 9, 2020

A RESOLUTION

TO PROTECT AND FACILITATE THE RIGHT TO PEACEFULLY PROTEST, AND TO PROTECT CITIZENS FROM INTIMIDATION OR HARM

WHEREAS, the City of South Euclid is committed to maintaining and strengthening its position as a peaceful, welcoming community that supports and protects the free expression of political, religious, and socially responsible speech and activity, and

WHEREAS, local safety forces may be called on to police public demonstrations, and

WHEREAS, the primary roles of the city's police force are a.) to protect the health and well-being of persons engaged in lawful activities in our city, and b.) to enforce laws that prohibit intimidation of, or present a physical threat to, such persons, and

WHEREAS, upon assuming their duties in the City of South Euclid, police officers swear an oath to support the Constitution of the United States and the Constitution of the State of Ohio, and

WHEREAS, the first amendment to the U. S. Constitution guarantees "the right of the people peaceably to assemble," and

WHEREAS, Section 509.11(a)(2) of the South Euclid Code of Ordinances allow persons to assemble "on any sidewalk or street corner, within Municipal or private parking areas or within parks or public grounds" except with the "intent to provoke a breach of the peace or to intentionally block, obstruct or impede the free passage of pedestrians or vehicles, or whereby a breach of the peace may be occasioned by the annoyance to pedestrians or by threatening, insulting or abusive conduct to them, and refuse to move on when ordered by a police officer," and

WHEREAS, the City of South Euclid is committed to ensuring that peaceful demonstrations can safely take place in our city, while the force of law is brought to bear on violent, intimidating, or threatening actors.

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

Section 1: Our safety forces shall do everything in their power to:
(a) facilitate, rather than restrict, peaceful public assembly in accordance with the laws of the city,
(b) deescalate violent situations, or control the actions of violent or threatening protesters, without restricting the ability of peaceful demonstrators to carry out their activities,
(c) abstain from the use of chemical agents such as tear gas except as a last resort, and only after giving oral warning and sufficient time to disperse,
(d) avoid the use of physical force until all other methods are attempted and prove ineffective.

Section 2: We, as a city, denounce racist, xenophobic rhetoric and incitement to violence, condemn armed private groups using hateful rhetoric and threatening intimidation and harm, and will protect demonstrators and anyone carrying out lawful activities from such armed private groups, which are not authorized to protect the public, and which pose a risk to the human rights and public safety of others.

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: 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. 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.: 21-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

November 9, 2020

AN ORDINANCE

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021; AND DECLARING AN EMERGENCY.

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

Section 1: That to provide for the current expenses and other expenditures of the City of South Euclid during the fiscal year ending December 31, 2021, the sums as herein set forth be and the same are hereby made. Said sums to be used to implement this 2021 Revenue and Expense.

Section 2: That there be appropriated from the General Fund:

PROGRAM I - Security of Persons and Property

POLICE DEPARTMENT - 1110			
Personal Services	$1,235,011		
Other Charges	85,876		
Total Police Department		$1,320,887	
POLICE - ADMINISTRATIVE - 1111			
Personal Services	$32,512		
Other Charges	250		
Total Police Department-Administrative		$32,762	
POLICE - SCHOOL GUARDS - 1112			
Personal Services	$29,357		
Other Charges	500		
Total Police Department-School Guards		$29,857	
POLICE - CORRECTIONS - 1113			
Personal Services	$0		
Other Charges	0		
Total Police Department-Corrections		$0	
FIRE DEPARTMENT- 1120			
Personal Services	$1,020,860		
Other Charges	91,875		
Total Fire Department		$1,112,735	
FIRE HYDRANTS - 1122			
Other Charges	8,871		
Total Fire Hydrants		$8,871	
DISPATCHERS - 1130			
Personal Services	$0		
Other Charges	146,265		
Total Dispatchers		$146,265	
TOTAL PROGRAM I			$2,651,378

Discussion Only

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210			
Other Charges	$20,325		
Total Public Health & Welfare		$20,325	
TOTAL PROGRAM II			$20,325

PROGRAM III - Leisure Time Activities

RECREATION - 3310			
Personal Services	$19,083		
Other Charges	10,913		
Total Recreation		$29,995	
COMMUNITY CENTER - 3350			
Personal Services	$60,851		
Other Charges	18,388		
Total Community Center		$79,238	
TOTAL PROGRAM III			$109,233

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

Personal Services	$231,444		
Other Charges	51,660		
Total Building Department		$283,104	

ECONOMIC DEVELOPMENT - 4430

Personal Services	$50,529		
Other Charges	28,663		
Total Economic Development		$79,192	

COMMUNITY RELATIONS - 4440

Personal Services	$21,264		
Other Charges	24,575		
Total Community Relations		$45,839	

CITY BOARDS & COMMISSIONS - 4450

Personal Services	$9,763		
Other Charges	1,113		
Total Boards & Commissions		$10,875	

YOUTH INITIATIVE -4460

Personal Services	$7,251		
Other Charges	10,875		
Total Youth Initiative		$18,126	
TOTAL PROGRAM IV			$437,135

PROGRAM V - Basic Utility Service

REFUSE COLLECTION & DISPOSAL - 5510

Other Charges	$405,000		
Total Refuse Collection & Disposal		$405,000	

CURBSIDE RECYCLING - 5520

Personal Services	$24,626		
Other Charges	3,175		
Total Curbside Recycling		$27,801	
TOTAL PROGRAM V			$432,801

PROGRAM VI - Transportation

SERVICE DEPARTMENT - 6610

Personal Services	$69,255		
Other Charges	56,688		
Total Service Department		$125,942	

GARAGE - 6620

Personal Services	$52,877		
Other Charges	57,500		
Total Garage		$110,377	
TOTAL PROGRAM VI			$236,319

PROGRAM VII - General Government

MAYOR'S OFFICE - 7710

Personal Services	$49,712		
Other Charges	9,509		
Total Mayor's Office		$59,220	

LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720

Personal Services	$24,595		
Other Charges	11,000		
Total Legislative Activities (City Council)		$35,595	

Discussion Only

FINANCE ADMINISTRATION - 7730

Personal Services	$94,628		
Other Charges	16,575		
Total Finance Administration		$111,203	

INCOME TAX ADMINISTRATION (RITA) - 7731					
Personal Services	$0				
Other Charges	128,750				
Total Income Tax Administration		$128,750			
LEGAL ADMINISTRATION - 7740					
Personal Services	$55,569				
Other Charges	111,700				
Total Legal Administration		$167,269			
JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750					
Personal Services	$182,062				
Other Charges	13,177				
Total Judicial Activities (Municipal Court)		$195,239			
CIVIL SERVICE COMMISSION - 7760					
Personal Services	$1,940				
Other Charges	8,038				
Total Civil Service Commission		$9,977			
ENGINEERING - 7770					
Personal Services	$5,584				
Other Charges	1,050				
Total Engineering		$6,634			
MUNICIPAL COMPLEX - 7780					
Personal Services	$2,672				
Other Charges	145,425				
Total Municipal Complex		$148,097			
GENERAL SERVICES - 7790					
Personal Services	$10,500				
Other Charges	150,705				
Total General Services		$161,205			
INSURANCE - 7791					
Personal Services	$0				
Other Charges	64,000				
Total Insurance		$64,000			
TRANSFERS/ADVANCES OUT -9910/9920					
Other Charges	$545,500				
		$545,500			
TOTAL PROGRAM VII				$1,632,688	
TOTAL GENERAL FUND					$5,519,879

Section 3: That there be appropriated from the Special Revenue Funds:

OPERATION HOME IMPROVEMENT (FUND 103/104)					
Other Charges	$0				
Total		$0	-		
COPS GRANT (FUND 106)					
Personal Services	$0				
Other Charges	0				
Total		$0			
COMMUNITY DIVERSION PROGRAM (FUND 107)					
Personal Services	$2,953				
Other Charges	1,186				
Total		$4,139	4,139		
STREET CONSTRUCTION & MAINTENANCE (FUND 202)					
Personal Services	$254,094				
Other Charges	69,800				
Total		$323,894	323,894		
STATE HIGHWAY IMPROVEMENT (FUND 203)					
Personal Services	$0				
Other Charges	12,500				
Total		$12,500	12,500		

PARKING LOTS & PARKING METERS (FUND 205)				
Personal Services	$0			
Other Charges	0			
Total		$0	-	
SWIMMING POOLS (FUND 206)				
Personal Services	$43,758			
Other Charges	24,244			
Total		$68,001	68,001	
PERMISSIVE MOTOR VEHICLE TAX (FUND 207)				
Other Charges	$40,000			
Total		$40,000	40,000	
HUD GRANT - NSP 3 (FUND 215)				
Other Charges	$0			
Total		$0		
POLICE RANGE (FUND 220)				
Other Charges	$8,100			
Total		$8,100		
LAW ENFORCEMENT TRUST (FUND 221)				
Other Charges	$27,500			
Total		$27,500	35,600	
FEMA FIREFIGHTERS GRANT (FUND 222)				
Other Charges	$376			
Total		$376		
SAFETY FORCES LEVY (FUND 410)				
Personal Services	$480,000			
Other Charges	7500			
Total		$487,500		
STREET LIGHTING (FUND 511)				
Other Charges	$117,875			
Total		$117,875	605,751	
SEWER MAINTENANCE (516)				
Personal Services	$117,180			
Other Charges	7,120			
Total		$124,300	124,300	
SEWER REHABILITATION (517)				
Other Charges	$100			
Total		$100		
POLICE PENSION (FUND 614)				
Other Charges	$30,250			
Total		$30,250		
FIRE PENSION (FUND 615)				
Other Charges	$30,250			
Total		$30,250		
SICK LEAVE BENEFIT (FUND 926)	$15,000			
Total		$15,000		
SALARY RESERVE (FUND 927)				
Total	0	$0	$75,600	
TOTAL SPECIAL REVENUE FUNDS:				$1,289,785

Section 4: That there be appropriated from the Bond Retirement Funds:

GENERAL BOND RETIREMENT (FUND 327)				
Other Charges	$13,354			
Total		$13,354	$13,354	
RECREATION BOND RETIREMENT (FUND 328)				
Other Charges	$0			
Total		$0	$0	

SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)				
Other Charges	$0			
Total		$0	$0	
TOTAL BOND RETIREMENT FUNDS:				$13,354
Section 5: That there be appropriated from the Capital Project Funds:				
CAPITAL PROJECT FUNDS				
GENERAL IMPROVEMENT & REPAIR (FUND 408)				
Other Charges	$202,188			
Total		$202,188	202,188	
SAFETY FORCES VEHICLES (FUND 409)				
Other Charges	$43,750			
Total		$43,750	$43,750	
POLICE VEHICLES & EQUIPMENT (FUND 411)				
Other Charges	$1,000			
Total		$1,000		
RECREATION CONTINGENCY (FUND 418)				
Other Charges	$0			
Total		$0	1000	
WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)				
Other Charges	$108,875			
Total		$108,875	108,875	
ROAD RESURFACING (FUND 425)				
Other Charges	$201,318			
Total		$201,318	201,318	
FLOOD CONTROL (FUND 426)				
Other Charges	$546,515			
Total		$546,515	546,515	
SIDEWALK IMPROVEMENT PROGRAM (FUND 427)				
Other Charges	$2			
Total		$2	2	
STAN HOPE PARKING LOT (FUND 430)				
Other Charges	$713			
Total		$713		
ISSUE II PROJECTS (FUND 431)				
Other Charges	$0			
Total		$0		
LAND ACQUISITION (FUND 440)				
Other Charges	$350,657			
Total		$350,657	351,370	
TOTAL CAPITAL PROJECT FUNDS:				$1,455,016
TRUST & AGENCY (FUND 917)				
Other Charges	$495,741			
Total		$495,741		
TOTAL TRUST & AGENCY FUND:				$495,741
GRAND TOTAL				$8,773,774

Section 6: That the City Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the Board of Officers authorized by law to approve same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further, that the appropriation for contingencies can be expended upon approval of a two-thirds vote of Council for items constituting a legal obligation against the City for purposes other than those covered by other specific appropriations, herein made.

Section 7: 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 8: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for further reason that funds cannot be properly disbursed in 2021 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance 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 Lograsso, Director of Law

First Reading: 11/09/20
Second Reading: _____
Third Reading: _____
Requested Deadline for Council Passage: _____

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 64-20 November 9, 2020
INTRODUCED BY: Frank
REQUESTED BY: Mayor

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR THE OAKMOUNT ROAD INFRASTRUCTURE IMPROVEMENT PROJECT.

WHEREAS, the city applied for funding for this project through the Northeast Ohio Regional Sewer District Member Community Infrastructure Grant Program which provides funding for water resource projects; and

WHEREAS, the project was selected to receive $365,973.00 in funding from the Northeast Ohio Regional Sewer District Member Community Infrastructure Grant Program for the 2021 Oakmount Road Infrastructure Improvement Project; and

WHEREAS, in order to be eligible to receive these funds the city must enter into an agreement with the Northeast Ohio Regional Sewer District.

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

Section 1: That the Mayor is hereby authorized and directed to enter into a Member Community Infrastructure Grant Program Agreement with the Northeast Ohio Regional Sewer District in order to receive $365,973.00 in funding for the 2021 Oakmount Road Infrastructure Improvement Project and the agreement shall be in substantially the same form as 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 5: That 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, in order to allow this critical project to be completed.

Passed this _____ day of _____, 2020.

_____
Joseph Frank, President of Council

Attest:

_____
Keith A. Benjamin, Clerk of Council

Approved:

_____
Georgine Welo, Mayor

Approved as to form:

_____
Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 65-20
INTRODUCED BY: Frank
REQUESTED BY: Mayor

November 9, 2020

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE OAKMOUNT ROAD INFRASTRUCTURE IMPROVEMENT PROJECT IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, The City of South Euclid has been awarded $365,973.00 in funding from the Northeast Ohio Regional Sewer District Member Community Infrastructure Grant Program for the 2021 Oakmount Road Infrastructure Improvement Project.

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 advertise for bids for the Oakmount Road Infrastructure Improvement Project 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 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.

_____
Joe Frank, President of Council

Attest:

_____
Keith A. Benjamin, Clerk of Council

Approved:

_____
Georgine Welo, Mayor

Approved as to form:

_____
Michael P. Lograsso, Director of Law