

THE CITY OF SOUTH EUCLID  
SCHEDULE OF MEETING  
March 8, 2021  
8:00 PM

**Meeting Conducted Via WebEx Meeting Platform**

**PUBLIC ACCESS FOR RESIDENTS:**

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

**The Password to Join the Meeting is:**

**BpEpaZZp585 (27372997 from phones and video systems)**

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1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **MINUTES OF MEETINGS:** January 25, 2021 & February 8, 2021

4. **REPORT OF MAYOR & DEPARTMENT HEADS**

5. **REPORT OF LAW DIRECTOR**

6. **REPORT OF SCHOOL DISTRICT**

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

7. **REPORT OF COUNCIL COMMITTEES**

1. Ordinance 02-21 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. **Third Reading.**

2. Ordinance 03-21 An Ordinance to provide for the issuance of a principal amount not to exceed \$1,638,000 of General Obligation Bond Anticipation Notes in anticipation of the issuance of Bonds to pay for all or a portion of the costs of constructing, reconstructing, resurfacing and otherwise improving various streets in the city, together with all necessary appurtenances; and declaring an emergency. **Third Reading.**

8. **LEGISLATION REQUESTED BY CITY COUNCIL**

1. Resolution 10-21 Declaring March 2021 "National Social Work Month" in The City of South Euclid. First Reading.

9. **LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION**

1. Resolution 11-21 Authorizing the city engineer to prepare the necessary plans, specifications, and bid documents for Phase II of the South Green Road Resurfacing Project in the City of South Euclid; and declaring an emergency. First Reading.

2. Resolution 12-21 Authorizing the city engineer to prepare the necessary plans, specifications, and bid documents for the 2021 Mayfield Road Concrete Street Repair Program in the City of South Euclid; and declaring an emergency. First Reading.

3. Ordinance 05-21 Authorizing the Mayor to enter into an agreement with Cuyahoga County, Ohio for the rehabilitation of Mayfield Road from the east corporation limit to South Belvoir Boulevard; 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

ORDINANCE NO.: 02-21  
 INTRODUCED BY: Frank  
 REQUESTED BY: Mayor

February 8, 2021  
 Second Reading: February 22, 2021  
 Third Reading: March 8, 2021

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	\$5,024,403	
Other Charges	<u>367,505</u>	
Total Police Department		\$5,391,908

Discussion Only

POLICE - ADMINISTRATIVE - 1111

Personal Services	\$135,048	
Other Charges	<u>1,000</u>	
Total Police Department-Administrative		\$136,048

POLICE - SCHOOL GUARDS - 1112

Personal Services	\$118,428	
Other Charges	<u>2,000</u>	
Total Police Department-School Guards		\$120,428

POLICE - CORRECTIONS - 1113

Personal Services	\$0	
Other Charges	<u>0</u>	
Total Police Department-Corrections		\$0

FIRE DEPARTMENT - 1120

Personal Services	\$4,095,441	
Other Charges	<u>370,500</u>	
Total Fire Department		\$4,465,941

FIRE HYDRANTS - 1122

Other Charges	<u>35,485</u>	
Total Fire Hydrants		\$35,485

DISPATCHERS - 1130

Personal Services	\$0	
Other Charges	<u>633,054</u>	
Total Dispatchers		\$633,054

**TOTAL PROGRAM I**

\$10,782,864

PROGRAM II - Public Health & Welfare Services

SUPPORT OF PRISONERS - 2210

Other Charges	<u>\$81,300</u>	
Total Public Health & Welfare		\$81,300

**TOTAL PROGRAM II**

\$81,300

PROGRAM III - Leisure Time Activities

RECREATION - 3310

Personal Services	\$76,330	
Other Charges	<u>43,650</u>	
Total Recreation		\$119,980

COMMUNITY CENTER - 3350

Personal Services	\$203,403	
Other Charges	<u>79,050</u>	
Total Community Center		\$282,453

**TOTAL PROGRAM III**

\$402,433

PROGRAM IV - Community Environment

BUILDING DEPARTMENT - 4410

Personal Services	\$926,075	
Other Charges	<u>206,640</u>	
Total Building Department		\$1,132,715

ECONOMIC DEVELOPMENT - 4430

Personal Services	\$207,006	
Other Charges	<u>124,650</u>	
Total Economic Development		\$331,656

COMMUNITY RELATIONS - 4440

Personal Services	\$85,056	
Other Charges	<u>98,300</u>	

Total Community Relations		\$183,356	
<u>CITY BOARDS &amp; COMMISSIONS - 4450</u>			
Personal Services	\$41,401		
Other Charges	<u>4,450</u>		
Total Boards & Commissions		\$45,851	
<u>YOUTH INITIATIVE - 4460</u>			
Personal Services	\$29,004		
Other Charges	<u>43,500</u>		
Total Youth Initiative		\$72,504	
TOTAL PROGRAM IV			\$1,766,082
<u>PROGRAM V - Basic Utility Service</u>			
<u>REFUSE COLLECTION &amp; DISPOSAL - 5510</u>			
Other Charges	<u>\$1,620,000</u>		
Total Refuse Collection & Disposal		\$1,620,000	
<u>CURBSIDE RECYCLING - 5520</u>			
Personal Services	\$98,504		
Other Charges	<u>12,700</u>		
Total Curbside Recycling		\$111,204	
TOTAL PROGRAM V			\$1,731,204
<u>PROGRAM VI - Transportation</u>			
<u>SERVICE DEPARTMENT - 6610</u>			
Personal Services	\$278,185		
Other Charges	<u>226,750</u>		
Total Service Department		\$504,935	
<u>GARAGE - 6620</u>			
Personal Services	\$212,500		
Other Charges	<u>230,000</u>		
Total Garage		\$442,500	
TOTAL PROGRAM VI			\$947,435
<u>PROGRAM VII - General Government</u>			
<u>MAYOR'S OFFICE - 7710</u>			
Personal Services	\$198,847		
Other Charges	<u>38,034</u>		
Total Mayor's Office		\$236,881	
<u>LEGISLATIVE ACTIVITIES (CITY COUNCIL) - 7720</u>			
Personal Services	\$101,319		
Other Charges	<u>44,000</u>		
Total Legislative Activities (City Council)		\$145,319	
<u>FINANCE ADMINISTRATION - 7730</u>			
Personal Services	\$379,941		
Other Charges	<u>66,300</u>		
Total Finance Administration		\$446,241	
<u>INCOME TAX ADMINISTRATION (RITA) - 7731</u>			
Personal Services	\$0		
Other Charges	<u>515,000</u>		
Total Income Tax Administration		\$515,000	
<u>LEGAL ADMINISTRATION - 7740</u>			
Personal Services	\$222,275		
Other Charges	<u>446,800</u>		
Total Legal Administration		\$669,075	
<u>JUDICIAL ACTIVITIES (MUNICIPAL COURT) - 7750</u>			
Personal Services	\$728,248		
Other Charges	<u>56,752</u>		
Total Judicial Activities (Municipal Court)		\$785,000	
<u>CIVIL SERVICE COMMISSION - 7760</u>			
Personal Services	\$7,758		
Other Charges	<u>32,150</u>		
Total Civil Service Commission		\$39,908	
<u>ENGINEERING - 7770</u>			
Personal Services	\$22,335		
Other Charges	<u>4,200</u>		
Total Engineering		\$26,535	
<u>MUNICIPAL COMPLEX - 7780</u>			
Personal Services	\$37,711		
Other Charges	<u>581,700</u>		
Total Municipal Complex		\$619,411	

Discussion Only

GENERAL SERVICES - 7790

Personal Services	\$50,000	
Other Charges	<u>513,314</u>	
Total General Services		\$563,314

INSURANCE - 7791

Personal Services	\$0	
Other Charges	<u>256,000</u>	
Total Insurance		\$256,000

TRANSFERS/ADVANCES OUT - 9910/9920

Other Charges	<u>\$2,602,799</u>	
		<u>\$2,602,799</u>

TOTAL PROGRAM VII

\$6,905,483

TOTAL GENERAL FUND

\$22,616,801

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

OPERATION HOME IMPROVEMENT (FUND 103/104)

Other Charges	<u>\$0</u>	
Total		\$0

COPS GRANT (FUND 106)

Personal Services	\$0	
Other Charges	<u>0</u>	
Total		\$0

COMMUNITY DIVERSION PROGRAM (FUND 107)

Personal Services	\$11,810	
Other Charges	<u>4,745</u>	
Total		\$16,555

STREET CONSTRUCTION & MAINTENANCE (FUND 202)

Personal Services	\$1,016,875	
Other Charges	<u>280,200</u>	
Total		\$1,297,075

STATE HIGHWAY IMPROVEMENT (FUND 203)

Personal Services	\$0	
Other Charges	<u>50,000</u>	
Total		\$50,000

PARKING LOTS & PARKING METERS (FUND 205)

Personal Services	\$0	
Other Charges	<u>0</u>	
Total		\$0

SWIMMING POOLS (FUND 206)

Personal Services	\$175,030	
Other Charges	<u>96,975</u>	
Total		\$272,005

PERMISSIVE MOTOR VEHICLE TAX (FUND 207)

Other Charges	<u>\$160,000</u>	
Total		\$160,000

HUD GRANT - NSP 3 (FUND 215)

Other Charges	<u>\$0</u>	
Total		\$0

POLICE RANGE (FUND 220)

Other Charges	<u>\$32,400</u>	
Total		\$32,400

LAW ENFORCEMENT TRUST (FUND 221)

Other Charges	<u>\$110,000</u>	
Total		\$110,000

FEMA FIREFIGHTERS GRANT (FUND 222)

Other Charges	<u>\$1,504</u>	
Total		\$1,504

SAFETY FORCES LEVY (FUND 410)

Personal Services	\$1,900,000	
Other Charges	<u>30000</u>	
Total		\$1,930,000

STREET LIGHTING (FUND 511)

Other Charges	<u>\$471,500</u>	
Total		\$471,500

SEWER MAINTENANCE (516)

2,403,004

Personal Services	\$468,719		
Other Charges	<u>28,480</u>		
Total		\$497,199	497,199
<b>SEWER REHABILITATION (517)</b>			
Other Charges	<u>\$400</u>		
Total		\$400	
<b>POLICE PENSION (FUND 614)</b>			
Other Charges	<u>\$121,000</u>		
Total		\$121,000	
<b>FIRE PENSION (FUND 615)</b>			
Other Charges	<u>\$121,000</u>		
Total		\$121,000	
<b>SICK LEAVE BENEFIT (FUND 926)</b>			
Other Charges	<u>\$60,000</u>		
Total		\$60,000	
<b>SALARY RESERVE (FUND 927)</b>			
Other Charges	<u>0</u>		
Total		\$0	\$302,400
<b>TOTAL SPECIAL REVENUE FUNDS:</b>			\$5,140,638
<i>Section 4: That there be appropriated from the Bond Retirement Funds:</i>			
<b>GENERAL BOND RETIREMENT (FUND 327)</b>			
Other Charges	<u>\$53,415</u>		
Total		\$53,415	\$53,415
<b>RECREATION BOND RETIREMENT (FUND 328)</b>			
Other Charges	<u>\$0</u>		
Total		\$0	\$0
<b>SPECIAL ASSESSMENT BOND RETIREMENT (FUND 510)</b>			
Other Charges	<u>\$0</u>		
Total		\$0	\$0
<b>TOTAL BOND RETIREMENT FUNDS:</b>			\$53,415
<i>Section 5: That there be appropriated from the Capital Project Funds:</i>			
<b>CAPITAL PROJECT FUNDS</b>			
<b>GENERAL IMPROVEMENT &amp; REPAIR (FUND 408)</b>			
Other Charges	<u>\$933,956</u>		
Total		\$933,956	933,956
<b>SAFETY FORCES VEHICLES (FUND 409)</b>			
Other Charges	<u>\$300,000</u>		
Total		\$300,000	\$300,000
<b>POLICE VEHICLES &amp; EQUIPMENT (FUND 411)</b>			
Other Charges	<u>\$4,000</u>		
Total		\$4,000	
<b>ENERGY EFFICIENCY FUND (FUND 415)</b>			
Other Charges	<u>\$1,722,831</u>		
Total		\$1,722,831	1,726,831
<b>WATER DISTRIBUTION INFRASTRUCTURE (FUND 424)</b>			
Other Charges	<u>\$435,500</u>		
Total		\$435,500	435,500
<b>ROAD RESURFACING (FUND 425)</b>			
Other Charges	<u>\$805,270</u>		
Total		\$805,270	805,270
<b>FLOOD CONTROL (FUND 426)</b>			
Other Charges	<u>\$2,186,058</u>		
Total		\$2,186,058	2,186,058
<b>SIDEWALK IMPROVEMENT PROGRAM (FUND 427)</b>			
Other Charges	<u>\$7</u>		
Total		\$7	7
<b>STAN HOPE PARKING LOT (FUND 430)</b>			
Other Charges	<u>\$2,850</u>		
Total		\$2,850	
<b>COVID FUND 925</b>			
PERSONNEL CHARGES	<u>\$0</u>		
Other Charges			

Total		\$0	
<b>LAND ACQUISITION (FUND 440)</b>			
Other Charges	<u>\$1,477,628</u>		
Total		\$1,477,628	1,480,478
<b>TOTAL CAPITAL PROJECT FUNDS:</b>			\$7,868,100
<b>TRUST &amp; AGENCY (FUND 917)</b>			
Other Charges	<u>\$1,982,965</u>		
Total		\$1,982,965	
<b>TOTAL TRUST &amp; AGENCY FUND:</b>			<u>\$1,982,965</u>
<b>GRAND TOTAL</b>			<u>\$37,661,919</u>

**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 2019 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
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

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 03-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

February 8, 2021

AN ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A PRINCIPAL AMOUNT NOT TO EXCEED \$1,638,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY FOR ALL OR A PORTION OF THE COSTS OF CONSTRUCTING, RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING VARIOUS STREETS IN THE CITY, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer for the City of South Euclid, Ohio (the "City"), has certified to this Council of the City (the "Council") that the estimated life or period of usefulness of the improvements for the purpose described below is at least five years and has further certified that the maximum maturity of the bonds in anticipation of which the captioned notes will be issued.

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

Section 1. It is declared necessary to issue bonds (the "Bonds") of the City in a principal amount not to exceed \$1,638,000 to pay (a) costs of street and related bridge improvements as part of the South Green Multi-Modal Project, including the replacement of bridge on South Green Road, the resurfacing of South Green Road from Mayfield Road to Monticello Boulevard, the construction of a new sidewalk, and improvements to pedestrian crosswalks, traffic signalization, bicycle lanes, and public transportation systems, together with all necessary appurtenances, (b) costs of street improvements along Mayfield Road, including the reconstructing and repairing concrete joints along Mayfield Road, (c) preliminary engineering for Green Road Phase II street improvements from Mayfield Road to Cedar Road, (d) costs of resurfacing Cedar Road from South Green Road to Washington Boulevard, together with all necessary (collectively, the "Street Improvement Project") and (e) costs associated with the issuance of the Bonds.

Section 2. The Bonds shall be dated approximately March 1, 2022, shall bear interest at the estimated rate of 5% per annum, payable semi-annually until the principal sum is paid, and shall mature in 20 annual installments after their issuance. The first interest payment and the first principal payment on the Bonds are estimated to be December 1, 2022.

Section 3. It is determined that notes (the "Notes") in a principal amount not to exceed \$1,638,000 shall be issued in anticipation of the issuance of the Bonds for the Street Improvement Project. The Notes shall be sold to the Original Purchaser (as defined below) and shall bear interest at the rate fixed by the Director of Finance in the certificate awarding the Notes (the "Certificate of Award"), provided that such rate shall not exceed 4% per annum, payable at maturity. The Notes shall be dated their date of issuance and shall mature on a date that is between six months and one year, inclusive, from the date of issuance, as determined by the Director of Finance in the Certificate of Award. The Notes shall not be subject to redemption by the City at any time prior to maturity, unless the Original Purchaser requests that the Notes provide for such redemption, in which case provision shall be made for calling the Notes for redemption upon 10 days written notice to the Paying Agent (as defined below) for the Notes or to the Original Purchaser if the Director of Finance is the Paying Agent. In addition, the Notes shall be issued in denominations of \$100,000 or any whole multiple of \$1,000 in excess of \$100,000, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Notes shall be payable as to both principal and interest at the office of the Director of Finance, or at a bank or trust company designated by the Director of Finance (the "Paying Agent"), without deduction for exchange, collection or service charge; and shall be payable in lawful money of the United States of America.

Section 4. The Notes shall be designated "Street Improvement General Obligation Bond Anticipation Notes, Series 2021." In accordance with Section 133.30(B) of the Ohio Revised Code, the Director of Finance may combine the Notes with other notes into a single consolidated issue of notes for purposes of their sale as a single issue, and may designate that consolidated issue of notes in the Certificate of Award. The Notes shall contain a summary statement of purposes encompassing the purpose for which the Notes and any other notes are issued, shall be

issued in the numbers and denominations requested by the Original Purchaser, subject to the provisions of Section 3 of this Ordinance and shall be executed by the Mayor and the Director of Finance of the City, provided that one or both such signatures may be a facsimile signature. In the absence of the Mayor, the Notes shall be executed by the President of Council, and in the absence of the Director of Finance, the Notes shall be executed by any assistant Director of Finance.

The Notes, pursuant to the terms set forth below, may also be issued to a Depository (as defined below) for use in a book-entry system (as defined below). The Director of Finance is authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the authentication, immobilization, and transfer of the Notes, including arrangements for the payment of principal and interest by wire transfer, after determining that the execution thereof will not endanger the funds or securities of the City, which determination shall be conclusively evidenced by the signing of any such agreement.

If and as long as a book-entry system is utilized, (i) the Notes shall be issued in the form of one note in the name of the Depository or its nominee, as owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book-entry form shall be shown by a book entry on the system maintained and operated by the Depository and its Participants (as defined below), and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Council of the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book-entry system, the Director of Finance may attempt to have established a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements the Director of Finance deems necessary, shall permit withdrawal of the Notes from the Depository, and authenticate and deliver note certificates in bearer or registered form, as the Director of Finance determines, to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Council action or inaction, of those persons requesting such issuance.

As used in this Section and this Ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to principal and interest may be transferred only through a book entry and (ii) physical notes are issued only to a Depository or its nominee as owner, with the notes “immobilized” in the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining a book-entry system to record beneficial ownership of the right to principal and interest, and to effect transfers of notes, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book-entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

Section 5. The Notes shall be sold at a private sale to Fifth Third Securities, Inc., as the original purchaser (the “Original Purchaser”), and awarded by the Director of Finance at a purchase price not less than 97% of their principal amount, at an interest rate not exceeding that specified in Section 3 of this Ordinance and which purchase price and interest rate the Director of Finance determines is in accordance with the best interests of the City; and the Director of Finance is authorized and directed to retain the services of Calfee, Halter & Griswold LLP, Bond Attorneys, Cleveland, Ohio and to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price. The proceeds from the sale of the Notes shall be paid into the proper fund and, pursuant to the provisions of Section 133.15(B) of the Ohio Revised Code, are deemed appropriated for and shall be used for the purpose for which the Notes are being issued under the provisions of this Ordinance and to pay those certain costs set forth in Section 133.15(B) of the Ohio Revised Code. Any premium received by the City and accrued interest shall be transferred

to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Notes in the manner provided by law.

If, in the judgment of the Director of Finance, a preliminary official statement of the City relating to the original issuance of the Notes, is in the best interest of the City, such a preliminary official statement is authorized to be prepared and distributed. The Mayor and the Director of Finance, and either one of them, are authorized and directed to complete and sign, on behalf of the City and in their official capacities, an official statement, with such modifications, changes and supplements from the preliminary official statement as those officers or any one of them shall approve or authorize. Those officers are authorized, on behalf of the City and in their official capacities, to (i) determine, and to certify or otherwise represent, when the official statement is "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (ii) use and distribute, or authorize the use and distribution of, those official statements and any supplements thereto in connection with the original issuance of the Notes, and (iii) complete and sign those official statements as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements.

If, in the judgment of the Director of Finance, the filing of an application for a rating on the Notes by one or more nationally-recognized rating agencies is in the best interest of and financially advantageous to the City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

Section 6. The City covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary so that the Notes will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Notes shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Notes.

The City covenants that (a) it will take or cause to be taken such actions which may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers of the City are authorized and directed to take any and all actions, make calculations and rebate payments, and take or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 7. The Notes are designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City covenants that the City, having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Notes are issued, (a) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Notes, in an aggregate principal amount in excess of \$10,000,000 and (b) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Notes (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Notes to cease to be "qualified tax-exempt obligations."

Section 8. If requested by the Original Purchaser of the Notes, the Director of Finance is and directed to execute a continuing disclosure certificate (the "Disclosure Certificate") dated the date of delivery of the Notes and delivered to the Original Purchaser for the benefit of the holders

of the Notes (the "Holders") and to assist the Original Purchaser in complying with SEC Rule 15c2-12(b)(5), which Disclosure Certificate shall set forth the City's undertaking to provide annual reports and notices of certain events as may be required. The City covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificate. Failure of the City to comply with the Disclosure Certificate shall not be considered an event of default; however, any Holder may take such actions as may be necessary and appropriate to cause the City to comply with its obligations under this Section, if a Disclosure Certificate is required.

Section 9. The Notes shall be full general obligations of the City and the full faith and credit of the City are pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by the Notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity together with the interest thereon, and is pledged for such purpose.

Section 10. During the years that the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually at the rate not less than that which would have been levied if bonds had been issued without the prior issuance of the Notes. This tax shall be within the ten-mill limitation imposed by law, and is ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, extended and collected. In addition, this tax shall be placed before and in preference to all items and for the full amount thereof. The funds derived from the tax levies required shall be placed in a separate and distinct fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of the principal of and interest on the Notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of the revenues so available and appropriated.

Section 11. While the Notes are outstanding, the City covenants to appropriate annually, to the extent required, sufficient amounts from municipal income tax revenues to pay principal and interest on the Notes when the same fall due, and to continue to levy and collect the municipal income tax in an amount necessary to meet debt charges on the Notes. The City covenants to deposit into the Bond Retirement Fund, from available funds appropriated for the purpose, an amount necessary to meet any shortfall that may exist between the amount then available in the Bond Retirement Fund and the amount of principal and interest due at maturity of the Notes.

Section 12. It is determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City, will have been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Notes.

Section 13. The Clerk of Council is directed to forward or cause to be forwarded a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County and to secure a receipt for the delivery of this Ordinance.

Section 14. The Mayor, Director of Finance, Law Director and the Clerk of Council, as appropriate, are each authorized and directed to prepare, execute and deliver any transcript certificates, financial statements and other documents, agreements, representations and instruments and to take such actions as are necessary or appropriate to consummate the issuance of the Notes as provided in this Ordinance.

Section 15. It is found and determined 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 such deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including the City's Charter, codified ordinances and applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 16. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety and welfare of the City, and for further reason that the immediate issuance and sale of the Notes is necessary to provide funds to commence the Street Improvement Project, which will improve the safety of vehicular travel in

the City, and provided it receives the affirmative vote of three-fourths of all members of Council, this Ordinance shall take effect and be in force immediately upon its passage by the Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
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

FISCAL OFFICER'S CERTIFICATE

City of South Euclid, Ohio  
February 8, 2021

TO THE COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO

The undersigned, as fiscal officer of the City of South Euclid, Ohio, as defined in Section 133.01 of the Ohio Revised Code, certifies as follows in connection with your proposed issue of general obligation bonds and bond anticipation notes in a principal amount not to exceed \$1,638,000 to (a) pay costs of resurfacing Cedar Road from South Green Road to Washington Boulevard, together with all necessary appurtenances (collectively, the “Street Improvement Project”) and (b) pay issuance costs that:

1. The estimated life or period of usefulness of the Street Improvement Project is at least five years.
2. The maximum maturity of the bonds, calculated in accordance with the provisions of Section 133.20, Ohio Revised Code, is 15 years, provided that if notes in anticipation of such bonds will be outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period in excess of five years shall be deducted from the latest permitted maturity of the bonds.
3. The maximum maturity of the notes now proposed to be issued in anticipation of the issuance of the bonds is 20 years from the date of issuance of the original notes.

\_\_\_\_\_  
Director of Finance  
City of South Euclid, Ohio

FISCAL OFFICER'S CERTIFICATE

City of South Euclid, Ohio  
February 8, 2021

TO THE COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO

The undersigned, as fiscal officer of the City of South Euclid, Ohio, as defined in Section 133.01 of the Ohio Revised Code, certifies as follows in connection with your proposed issue of general obligation bonds and bond anticipation notes in a principal amount not to exceed \$1,638,000 to pay (a) costs of street and related bridge improvements as part of the South Green Multi-Modal Project, including the replacement of bridge on South Green Road, the resurfacing of South Green Road from Mayfield Road to Monticello Boulevard, the construction of a new sidewalk, and improvements to pedestrian crosswalks, traffic signalization, bicycle lanes, and public transportation systems, together with all necessary appurtenances, (b) costs of street improvements along Mayfield Road, including the reconstructing and repairing concrete joints along Mayfield Road, (c) preliminary engineering for Green Road Phase II street improvements from Mayfield Road to Cedar Road (collectively, the "Street Improvement Project"), and (d) issuance costs that:

1. The estimated life or period of usefulness of the Street Improvement Project is at least five years.
2. The maximum maturity of the bonds, calculated in accordance with the provisions of Section 133.20, Ohio Revised Code, is at least 20 years, since my estimate is and to the extent a portion of the proceeds of the bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the bonds would still be at least 20 years by virtue of the fact that a sufficient portion of the proceeds of the bonds are allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years, provided that if notes in anticipation of such bonds will be outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period in excess of five years shall be deducted from the latest permitted maturity of the bonds.
3. The maximum maturity of the notes now proposed to be issued in anticipation of the issuance of the bonds is 20 years from the date of issuance of the original notes.

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Director of Finance  
City of South Euclid, Ohio

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 10-21  
INTRODUCED BY: Frank  
REQUESTED BY: Elston

March 8, 2021

A RESOLUTION

DECLARING MARCH 2021 “NATIONAL SOCIAL WORK MONTH” IN THE CITY OF SOUTH EUCLID

WHEREAS, the Social Work Profession for decades has been dedicated to improving human well-being and enhancing the basic needs of all people—especially the most vulnerable among us; and

WHEREAS, this year’s Social Work Month theme, “Social Workers Are Essential,” embodies the heroic contributions of the Social Work profession to our nation, including the work Social Workers have done to heal our nation during these times of pandemic, racial unrest, economic uncertainty and political divisiveness; and

WHEREAS, Social Workers have always been present in times of crisis, helping people overcome issues such as death and grief and helping people and communities recover from natural disasters such as fires, hurricanes and earthquakes; and

WHEREAS, Social Workers have helped this nation live up to its values by successfully advocating for equal rights for all people, no matter their race, sexual identity, gender, gender expression, culture or religion; and

WHEREAS the Social Work Profession is one of the fastest growing professions in the United States, with nearly 800,000 people expected to be employed as Social Workers by 2028; and

WHEREAS Social Workers work in all parts of our society to empower people to live to their fullest potential; and

WHEREAS, School Social Workers have worked with families and school throughout the pandemic to ensure students reach their full academic and personal potential; and

WHEREAS, Social Workers play a crucial role in our nation’s health care system and have played a key role in this nation’s response to COVID-19 and helping individuals, families and communities cope with the epidemic; and

WHEREAS, Social Workers for generations have advocated for positive changes that have made our society a better place to live, including urging policymakers to adopt the minimum wage, improve workplace safety, and enact social safety net programs that help ameliorate hunger, homelessness, and poverty; and

WHEREAS, Social Workers are one of the largest groups of mental health care providers in the United States, and work daily to help people—whether in person or remotely—overcome substance use disorders and mental illnesses such as depression and anxiety; and

WHEREAS, Social Workers will continue to stand ready to assist our nation in overcoming present and future challenges, including pushing for racial equity, ending gun violence, improving health care and mental health care for all and urging lawmakers to adopt immigration reforms.

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

Section 1: That the City of South Euclid proclaims the month of March 2021 as National Social Work Month and call upon all citizens to join the National Association of Social Workers and Department of Veteran Affairs in celebration and support of the Social Work Profession.

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 \_\_\_\_\_, 2021.

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

Approved:

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

Attest:

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

Approved as to form:

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

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 11-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

March 8, 2021

A RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND BID DOCUMENTS FOR PHASE II OF THE SOUTH GREEN ROAD RESURFACING PROJECT IN THE CITY OF SOUTH EUCLID; AND DECLARING AN EMERGENCY.

WHEREAS, the City and Cuyahoga County have committed to the funding and resurfacing of South Green Road in the City of South Euclid; and

WHEREAS, Phase II of the South Green Road Resurfacing and Improvements Project from Mayfield Road to Cedar Road is scheduled to commence in Fiscal Year 2022 and preliminary plans, specifications and engineering must be completed by the end of 2021; and

WHEREAS, approximately 60% of the \$176,000 estimated cost for preliminary engineering will be eligible for reimbursement by Cuyahoga County, with the exception of costs associated with traffic signal design.

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 2022 Phase II of the South Green Road Resurfacing Project in collaboration with Cuyahoga County.

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 \_\_\_\_\_, 2021.

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

Approved:

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

Attest:

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

Approved as to form:

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



STEPHEN HOVANCSEK & ASSOCIATES, INC.

*Consulting Engineers & Planners*

TWO MERIT DRIVE • RICHMOND HEIGHTS, OHIO 44143

(216) 731-6255

FAX No: (216) 731-4483

## MEMORANDUM

**To:** Michael LoGrasso, Director of Law

**From:** Andrew Blackley

**Date:** March 2, 2021

**Cc:** Mayor Welo, Keith Benjamin, Jim Anderson, Brenda Wendt

**RE: PROPOSED LEGISLATION – Authorization to prepare Plans and Bid the 2021 Concrete Street Repair Program**

1. On behalf of the Service Director we request legislation authorizing us to prepare plans and specifications and bid the 2021 Concrete Street Repair Program. The program consists primarily of targeted repairs to deteriorated joints and slabs on Mayfield Road, from the east corporation line to Belvoir Boulevard, using full depth concrete pavement removal and replacement.
2. The project cost estimate is **\$ 360,000.00**. The project will be funded from with a \$180,000 grant from the Cuyahoga County Department of Public Works County Road 50/50 Funding Program, with the remainder (\$ 180,000) from the City Roads Fund.
3. We anticipate bidding the project in April with a May, 2021 start. Project duration is estimated to be 60 days.



February 24, 2021

The Honorable Mayor Georgine Welo  
City of South Euclid  
1349 South Green Road  
South Euclid, Ohio 44121

RE: County Road 2021-2022 50/50 Funding Program – Mayfield Road from East Corporation Limit to Belvoir Boulevard.  
County ID No. 1320

Dear Mayor Welo:

County Council has approved the public convenience and welfare for the above referenced roadway rehabilitation project. As per the enclosed agreement, the County shall contribute 50% to the cost of construction up to a maximum of \$180,000. The total estimated construction cost is \$360,000.

Enclosed herein please find:

1. One (1) copy of the Agreement of Cooperation between the County of Cuyahoga, Ohio, and the City of South Euclid; and
2. One (1) copy of the Ordinance of Consent; and
3. One (1) copy of the Motor Vehicle License Tax Application MPD 1-72.

Please properly execute and return all documents to this office for further processing. We request that you do not alter the enclosures. **Please note that all processed documents must contain original signatures (signed in ink—no photocopied signatures, please). The Ordinance should bear a municipal seal or certification stamp. Please fill out only Part E on the License Tax Application.**

Our Highway Design Department will be contacting the City in the coming weeks regarding the required design submittal documentation as mentioned in Section B-4 of the agreement.

If you would like an electronic copy of the enclosed documents, please contact Monique Schulte at [mschulte@cuyahogacounty.us](mailto:mschulte@cuyahogacounty.us). If you have specific questions regarding the above, please contact June Gauss, Sr. Project Manager at (216) 348-3888.

Sincerely,

Nichole English, Chief Planning and Programming Administrator  
Department of Public Works

Enclosures – as noted

cc:

CCDPW: M. Dever, T. Sotak, C. George, A. Stoll, Project No. 1320  
City of South Euclid: Blackley, Anderson, Wendt

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 05-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

March 8, 2021

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY, OHIO (HEREINAFTER COUNTY) FOR THE REHABILITATION OF MAYFIELD ROAD FROM THE EAST CORPORATION LIMIT TO SOUTH BELVOIR BOULEVARD; AND DECLARING AN EMERGENCY.

WHEREAS, the City of South Euclid (hereinafter Municipality) has recognized the need for and proposes the improvement of a portion of public highway which is described as follows: The Rehabilitation of Mayfield Road from East Corporation Limit to Belvoir Boulevard in the City of South Euclid; and

WHEREAS, the total project cost for the project is estimated to be \$360,000; and

WHEREAS, the City of South Euclid hereby agrees to participate with Cuyahoga County in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay for the County's portion of the project; and

WHEREAS, that Cuyahoga County shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$180,000; and

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

Section 1: In consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

A. CONSENT

That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to participate in the cost of construction of the Project.

B. COOPERATION

1. That the COUNTY and the MUNICIPALITY will cooperate in the Project.
2. That the MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. That the MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. That the COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section B-2 of this Agreement. County approval of these documents are required prior to the advertisement of the construction contract. The COUNTY will make an inspection of the completed Project.
5. That the MUNICIPALITY shall agree to provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

C. FUNDING

1. MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY's portion of the project.
2. That the COUNTY shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$180,000.
3. In the event MUNICIPALITY secures additional funding for the Project, County's financial contribution and the supplemental funding cannot exceed the total actual cost of the Project.
4. The anticipated construction cost for this project is \$360,000. To determine funding eligibility, the COUNTY shall be notified immediately of any significant changes to the scope of work and/or construction cost.

#### D. MAINTENANCE

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

#### E. TRAFFIC

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

#### F. RIGHT-OF-WAY

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the Project shall be made available therefore.
2. That the MUNICIPALITY will arrange for the acquisition of any additional right-of-way which may be required for the construction of the Project.

#### G. UTILITIES

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

H. MISCELLANEOUS

1. That if the MUNICIPALITY includes the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the Project), alternate bid items, or other items in the Project that are in addition to those now existing and not provided for elsewhere in this Agreement, the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering and construction supervision.

2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.

3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

4. MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.

5. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

I. AUTHORITY TO SIGN

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.

2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the County of Cuyahoga, Ohio, for approval to use County Motor Vehicle License Tax Funds for the improvement.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
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

**CERTIFICATE OF COPY**

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

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

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

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

## AGREEMENT

### **Between the County of Cuyahoga, Ohio and the City of South Euclid for the Rehabilitation of Mayfield Road from East Corporation Limit to Belvior Boulevard**

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof, on behalf of the Department of Public Works (the "COUNTY") and the City of South Euclid (the "MUNICIPALITY") by its Mayor, having been duly authorized to enter into this Agreement by Ordinance No. \_\_\_\_\_ adopted by Council of the City of South Euclid on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

#### WITNESSETH:

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

The Rehabilitation of Mayfield Road from East Corporation Limit to Belvior Boulevard in the City of South Euclid (the "Project").

**NOW THEREFORE**, in consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

#### **A. CONSENT**

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to participate in the cost of construction of the Project.

#### **B. COOPERATION**

1. That the COUNTY and the MUNICIPALITY will cooperate in the Project.
2. That the MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. That the MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. That the COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section B-2 of this Agreement. County approval of

these documents are required prior to the advertisement of the construction contract. The COUNTY will make an inspection of the completed Project.

5. That the MUNICIPALITY shall agree to provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

**C. FUNDING**

1. MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY's portion of the project.
2. That the COUNTY shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$180,000.
3. In the event MUNICIPALITY secures additional funding for the Project, County's financial contribution and the supplemental funding cannot exceed the total actual cost of the Project.
4. The anticipated construction cost for this project is \$360,000. To determine funding eligibility, the COUNTY shall be notified immediately of any significant changes to the scope of work and/or construction cost.

**D. MAINTENANCE**

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

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

Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

**E. TRAFFIC**

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

**F. RIGHT-OF-WAY**

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the Project shall be made available therefore.
2. That the MUNICIPALITY will arrange for the acquisition of any additional right-of-way which may be required for the construction of the Project.

**G. UTILITIES**

1. That the MUNICIPALITY will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the Project, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of Project, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.

2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.
3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Project.
4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the Project, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

**H. MISCELLANEOUS**

1. That if the MUNICIPALITY includes the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the Project), alternate bid items, or other items in the Project that are in addition to those now existing and not provided for elsewhere in this Agreement, the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.
3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.

5. By entering into this agreement, I agree on behalf of the City of South Euclid to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

IN WITNESS WHEREOF, the Parties hereto have affixed their signatures the day and year mentioned above.

**City of South Euclid**

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**Mayor**

**County of Cuyahoga, Ohio**

**By:**

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**Armond Budish, County Executive**

**ATTEST:**

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**Clerk of Council**

TO: THE COUNTY OF CUYAHOGA, OHIO

DATE: \_\_\_\_\_

RE: APPLICATION FOR APPROVAL OF PROJECT USING COUNTY MOTOR VEHICLE LICENSE TAX FUNDS

**PART A**

**PROJECT DESCRIPTION**

MUNICIPALITY: South Euclid ROAD: Mayfield Road

ROAD NUMBER: \_\_\_\_\_ PROJECT LENGTH: \_\_\_\_\_

AVERAGE DAILY TRAFFIC: (Indicate 12 or 24 hour): \_\_\_\_\_

ACCIDENTS DURING PAST YEAR: Prop. Damage: \_\_\_\_\_ Pers. Inj.: \_\_\_\_\_ Fatal: \_\_\_\_\_

EXISTING PAVEMENT WIDTH: \_\_\_\_\_ RIGHT OF WAY WIDTH: \_\_\_\_\_ SPEED LIMIT: \_\_\_\_\_

RAILROAD CROSSINGS AT: \_\_\_\_\_

EXISTING BRIDGES OVER 20 FOOT SPANS: \_\_\_\_\_

Rehabilitation of Mayfield Road from East Corporation Limit to Belvoir Boulevard in the City of South Euclid.

**PART C**

**TRAFFIC CONTROL INVENTORY**

ARE EXISTING SIGNS, MARKINGS AND TRAFFIC SIGNALS IN CONFORMANCE WITH THE OHIO MANUAL OF TRAFFIC CONTROL DEVICES (IF KNOWN)?: \_\_\_\_\_ IF NO, LIST DEFICIENCIES: \_\_\_\_\_

ARE EXISTING SIGNALS INTERCONNECTED?: \_\_\_\_\_

NUMBER OF EXISTING: Full actuated signals: \_\_\_\_\_ Semi-actuated signals: \_\_\_\_\_

NUMBER OF PRETIMED SIGNALS AND AVERAGE SPACING: \_\_\_\_\_

EXISTING PARKING REGULATIONS: \_\_\_\_\_

**PART D**

**FUNDING**

	<u>COST</u>	<u>PROPOSED FINANCING (\$ OR %)</u>				
	<u>ESTIMATE</u>	<u>LCNS TAX</u>	<u>MUNICIPAL</u>	<u>COUNTY</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>PRELIMINARY ENGR.</u>						
<u>RIGHT-OF-WAY</u>						
<u>CONSTRUCTION ENGR.</u>						
<u>ROADWAY &amp; PAVEMENT</u>						
<u>STRUCTURES</u>						
<u>OTHER</u>						
<u>TOTALS</u>						

RECOMMENDED FINANCING: \_\_\_\_\_

**PART E**

**MUNICIPAL ACTION**

PROPOSED BY: \_\_\_\_\_ TITLE: Mayor DATE: \_\_\_\_\_

ACTION BY COUNCIL: \_\_\_\_\_ Ordinance No. \_\_\_\_\_ DATE: \_\_\_\_\_

CERTIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

(Clerk of Council)