

THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING

Monday, December 12, 2022
South Euclid Community Center
8:00 PM

The Meeting will also be live streamed for Public Access.

Visit our homepage at www.cityofsoutheuclid.com to join meeting.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES** November 14, 2022 & November 28, 2022
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**
8. **REPORT OF COUNCIL COMMITTEES**

Committee of the Whole

1. Ordinance 19-22 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, 2023; and declaring an emergency. **Third Reading.**

9. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION

1. Ordinance 21-22 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, 2022; and declaring an emergency. First Reading.

2. Ordinance 22-22 Fixing the salary range, compensation and rates of pay for various offices, boards, commissions and departments of the municipal government, repealing Ordinance 18-22 adopted October 24, 2022 and all other ordinances or parts of ordinances inconsistent herewith; and declaring an emergency. First Reading.
3. Ordinance 23-22 An ordinance establishing and regulating the OneOhio Opioid Settlement Fund #231; and declaring an emergency. First Reading.
4. Resolution 74-22 Authorizing the appropriation of unappropriated funds in the following fund: "Flood Control Fund #426" for expenditures related to the Oakmount Road Infrastructure Improvement Project, Phase 2. First Reading.
5. Resolution 75-22 Authorizing the Mayor to convey certain real property of the City of South Euclid, Ohio to One South Euclid. First Reading.
6. Resolution 76-22 Authorizing Members of City Council, Mayor and Finance Director to enter into a settlement agreement with the South Euclid Municipal Court. First Reading.
7. Resolution 77-22 Setting the date for the first regularly scheduled meeting of the City Council of the City of South Euclid, Ohio in 2023. First Reading.
8. Resolution 78-22 Authorizing the Mayor to enter into an agreement with OhioBiz, LLC to continue providing website development, hosting and maintenance services in fiscal year 2023 for the City of South Euclid, Ohio. First Reading.

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

11. COMMUNICATIONS OF CITY COUNCIL

12. ADJOURN

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Ruth Gray called the meeting to order, and the Pledge of Allegiance was recited.

Roll Call

Present: Councilwoman Sara Continenza, Councilman Joe Frank, Councilwoman Chanell Elston, Councilman John Fahsbender, Councilwoman Susan Hardy, Council President Ruth Gray, Councilman Justin Tisdale

Absent: Councilwoman Sara Continenza

Minutes of Meetings**October 11, 2022**

Action: Motion to Approve Minutes, **Moved by** Councilwoman Elston, **Seconded by** Councilwoman Tisdale

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza

The minutes have been approved.

Report of Mayor & Department Heads

- South Euclid Poet Laureate Doc Janning recited his poem "Words".
- Mayor Welo reported that all directors in attendance.
- Planning & Development Director Love reported on the opening of two new restaurants The Rib Cage and Hibachi Place.
- Asst. City Engineer DiRenzo gave an update on the Oakmount Phase II project which will hopefully be completed in the next few weeks. Mr. DiRenzo addressed several pieces of legislation to go out to bid for several road and parking lot projects, along with the renewal of the engineer's contract for 2023.
- Fire Chief Csire reported on several calls, including mutual aid the fire department has provided in the last month.
- Parks & Recreation Director Subwick reported on the OctoberFeast event and the upcoming Holiday Lighting Ceremony at City Hall on December 4th.
- Mayor Welo thanked South Euclid voters for their overwhelming support and passage of the Safety Levy, which will allow our police, fire and EMS to remain strong. Mayor Welo reported on the work of our City Engineers and requested support for the renewal of their contract for 2023.

Report of Law Director: There was no report

Report of School District: There was no report

Public Hearings (Open Meeting) Related to Agenda Items

There were no public comments.

Reports of Council Committees**Zoning & Planning Public Hearing**

Council President Gray reported that the committee held a public hearing earlier in the evening regarding Ord. 11-22 which would allow certain commercial vehicles to park in residential driveways. The legislation was recommended for consideration at the next council meeting.

Committee of the Whole Meeting

Finance Chair Frank reported that the Committee met to begin Budget Hearings and reported that the Police Department, Fire Department and Finance Department presented their requests for 2023 appropriations. Mr. Frank also reported that the South Euclid Municipal Court Judge Harry Field and Clerk of Court Szironey presented the Court's requested 2023 budget appropriation.

Legislation Requested by City Council

Introduced by Gray

Ordinance 19-22

ORDINANCE

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, 2023; and declaring an emergency. First Reading.

The Legislation was placed on First Reading and referred to the Committee of the Whole.

Legislation Requested by the Mayor & Administration

Introduced by Gray

Ordinance 20-22

ORDINANCE

An ordinance establishing and regulating the "Miscellaneous Federal Grant Fund #230"; and declaring an emergency. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilman Frank, **Seconded by** Councilman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 65-22

RESOLUTION

Authorizing the City of South Euclid to apply for a grant from the Cuyahoga County Community Development Supplemental Grant Fund; and declaring an emergency. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Hardy, **Seconded by** Councilwoman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 66-22

RESOLUTION

Authorizing the City of South Euclid to apply for a grant under the Cuyahoga County "Competitive Municipal Program": 2022-2023 Community Development Block Grant Fund; and declaring an emergency. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Hardy, **Seconded by** Councilwoman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 67-22

RESOLUTION

Authorizing the city engineer to prepare the necessary plans, specifications, and advertise for bids for the 2023 Combined Street Resurfacing And Watermain Replacement Projects in City of South Euclid, Ohio; and declaring an emergency. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilman Fahsbender, **Seconded by** Councilwoman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 68-22

RESOLUTION

Authorizing the city engineer to prepare the necessary plans, specifications, and advertise for bids for the 2023 Maywood Road Infrastructure Improvement Project, Phase 2, in the City of South Euclid, Ohio; and declaring an emergency. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilman Tisdale, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 69-22

RESOLUTION

Authorizing the city engineer to prepare the necessary plans, specifications, and advertise for bids for the 2023 Victory Park Stormwater Improvement Project in the City of South Euclid, Ohio; and declaring an emergency.

Action: Motion to Approve Legislation, **Moved by** Councilman Fahsbender, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 70-22

RESOLUTION

Authorizing the mayor to enter into an agreement with Cuyahoga County for a "County Road 2023-2024 50/50 Funding Program" grant for the resurfacing of South Belvoir Blvd. from Mayfield Road to Bluestone Road in the City of South Euclid, Ohio. First Reading.

Action: Motion to Approve Legislation, **Moved by** Council President Gray, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 71-22

RESOLUTION

Authorizing the mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to provide funding for the Victory Park Stormwater Improvement Project in the City of South Euclid, Ohio. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilman Tisdale, **Seconded by** Councilwoman Gray

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 72-22

RESOLUTION

Authorizing the mayor to enter into a contract extending the engineering services for Stephen Hovancsek & Associates, Inc. for a period of January 1, 2023, through December 31, 2023. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Hardy, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Introduced by Gray

Resolution 73-22

RESOLUTION

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer. First Reading.

Action: Motion to Approve Legislation, **Moved by** Councilman Frank, **Seconded by** Councilwoman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza
The legislation has been approved.

Public Hearings (Open Meeting) Related to Open Business:

No comments.

Communications of City Council

- Councilwoman Elston reported that she was at the polling location at Notre Dame College on election day and she heard from a lot of residents who are appreciative of our safety forces. Ms., Elston thanked residents for their support of the Safety Levy.
- Councilman Fahsbender reported on the upcoming "Porcelain and Poetry" fundraiser to benefit One South Euclid's senior grant programs and thanked residents for renewing the Safety Levy. Mr. Fahsbender stated that there is a constitutional crisis in Ohio as a result of the State Legislature's inability to approve the legislative redistricting map and ignoring the Ohio Supreme Court's opinions on the matter.
- Councilman Tisdale also thanked resident for passing the Safety Levy and thanked Director Subwick for his work in planning the OctoberFeast event.
- Councilwoman Hardy reported on a play that will be performed this weekend by Michael Anderson, a South Euclid residents and a 2021 Brush High School graduate.
- Councilman Frank thanked residents of South Euclid for supporting the Safety Levy and thanked the Mayor and Council for providing the resources our safety forces need. Councilman Frank reported on the success of OctoberFeast and the Community Garden Potluck and thanked Director Subwick for his work. Councilman Frank wished residents a happy Thanksgiving.
- Council President Gray reported on Veterans Day and how much we appreciate their service to our country. Ms. Gray reported that the National Congress of Black Women's "And Justice For All" Conference was held in Cleveland this past weekend and reported that Director Benjamin presented on fair housing issues in Northeast Ohio and did a phenomenal job.

Adjourn

With no further business to discuss, **Action:** Motion to adjourn meeting, **Moved by** Fahsbender, **Seconded by** Councilwoman Frank.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

Absent: Councilwoman Sara Continenza

The Meeting Adjourned at 9:01 pm.

Attest:

Council President

Clerk of Council

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Ruth Gray called the meeting to order, and the Pledge of Allegiance was recited.

Roll Call

Present: Councilwoman Sara Continenza, Councilman Joe Frank, Councilwoman Chanell Elston, Councilman John Fahsbender, Councilwoman Susan Hardy, Council President Ruth Gray, Councilman Justin Tisdale

Swearing-In Ceremony

James Kalan was sworn-in as a new Firefighter/Paramedic

Minutes of Meetings

October 24, 2022

Action: Motion to Approve Minutes, **Moved by** Councilman Frank, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7)

Yes: Councilwoman Sara Continenza, Councilwoman Chanell Elston, Councilman John Fahsbender, Councilman Joe Frank, Councilwoman Susan Hardy, Council President Ruth Gray.

Abstain: Councilman Justin Tisdale.

The minutes have been approved.

Report of Mayor & Department Heads

- South Euclid Poet Laureate Doc Janning recited his poem "Winter Promises".
- Mayor Welo reported that all directors are present, except Finance Director Himmelein, who is excused.
- Parks and Recreation Director Subwick reported on the upcoming Holiday Lighting Ceremony on December 4th at 4:30 pm at City Hall.
- Planning & Development Director Love requested support for Ord. 11-22 regarding the parking of commercial vehicles in residential driveways. Mr. Love also reported that the former Lowden School property has transferred ownership from the School District to Sommers Development.
- City Engineer Blackley gave an update on the Oakmount Road Infrastructure Project.
- Police Chief Mays reported on the outstanding work of Officer Wright who found a resident unresponsive at a home on Stonehaven Road. The Officer administered CPR until the paramedics arrived. Chief Mays also reported on two teens that were apprehended for stealing cars in South Euclid.
- Mayor Welo reported that County Councilwoman Sunny Simon's mother passed away and we offer our condolences.

Report of Law Director – Law Director Lograsso reported that the City's will begin negotiations in 2023 with our Collective Bargaining Units.

Report of School District – there was no report.

Public Hearings (Open Meeting) Related to Agenda Items

There were no public comments.

Reports of Council Committees

Councilman Frank reported that the committee met to continue Budget Hearings and heard requests from the Service Department, Community Center, Building and Housing Department, Parks and Recreation, Planning & Development, Community Services/Development, Law Department and Mayor's Office. Mr. Frank stated that in total, this year's budget is not much of an increase over last year's budget and the committee heard a lot of information about robust plans, projects and improvements which are very exciting. Council President Gray thanked Mayor Welo and Department Heads for providing the detailed budget summaries which were very helpful.

 Committee of the Whole

Introduced by Gray

Ordinance 19-22

ORDINANCE

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, 2023; and declaring an emergency. Second Reading.
The legislation placed on Second Reading.

Introduced by Gray

Ordinance 11-22

ORDINANCE

Amending Section 772.08 "Parking or Storage of Commercial or Construction Vehicles and Equipment" of Chapter 772 "Parking" of Title Seven "Sign, Regulations, Landscaping and Parking" of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio. Third Reading.

Action: Motion to Approve Legislation, **Moved by** Council President Gray, **Seconded by** Councilman Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7)

Yes: Councilwoman Continenza, Councilwoman Chanell Elston, Councilman John Fahsbender, Councilman Joe Frank, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

The legislation has been approved.

Public Hearings (Open Meeting) Related to Open Business:

- Charles Turner, 4549 Lilac Road, stated that the Mayor, Law Director and Prosecutor have denied that he was assaulted by former Police Chief Nietert. Lograsso and Cicero have denied that he was assaulted by Kevin Nietert and a councilperson also chose to deny that he is a Vietnam War Veteran. Mr. Turner said that he has been found not guilty seven times and that Prosecutor Cicero has a conflict of interest and that he was caught stealing evidence and lying in court.
-

Communications of City Council

- Councilwoman Continenza reported on Giving Tuesday and invited residents to support our area wonderful non-profits that provide services to our community.
 - Councilwoman Elston reported that she participated in her first naturalization ceremony, and it gave her a deeper appreciation of what it means to be a United States citizen.
 - Councilman Fahsbender urged residents and colleagues to purchase tickets for the upcoming Porcelain and Poetry event to benefit One South Euclid's senior grant program. Mr. Fahsbender reminded residents to please shovel the snow on their sidewalks and that it's the homeowner's obligation as a citizen and it's also the law.
 - Councilman Tisdale had no report.
 - Councilwoman Hardy had no report.
 - Councilman Frank thanked the Service Department for their efficiency in clearing the snow off our roadways during our season's first snowfall. Mr. Frank thanked Fire Chief Csire and the City's paramedics who had to make two calls to his parent's home in the last week. Mr. Frank said the department's compassion toward his mom and dad was amazing.
 - A Safety Committee scheduled for January 9, 2022, at 7pm.
 - Council President Gray reported that the next Council Meeting is on December 12th and that Council will consider the 2023 budget appropriation on third reading and additional financial items to close out our books for 2022.
-

Adjourn

With no further business to discuss, **Action:** Motion to adjourn meeting, **Moved by** Councilwoman Continenza, **Seconded by** Councilwoman Elston.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7)

Yes: Councilwoman Sara Continenza, Councilwoman Chanell Elston, Councilman Joe Frank, Councilman John Fahsbender, Councilwoman Susan Hardy, Councilman Justin Tisdale, Council President Ruth Gray.

The Meeting Adjourned at 9:05pm.

Attest:

Council President

Clerk of Council

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 19-22
 INTRODUCED BY: Gray
 REQUESTED BY: Mayor

November 14, 2022
 Second Reading: November 28, 2022

AN ORDINANCE

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, 2023; AND DECLARING AN EMERGENCY.

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

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, 2023, the sums as herein set forth in Exhibit 1 be and the same are hereby appropriated.

Section 2: There shall be, and there are hereby, monies transferred from various funds in amount not to exceed those stated below.

FROM	AMOUNT	TO
101-GENERAL FUND	\$200,000	206-SWIMMING POOLS
101-GENERAL FUND	50,000	327-GENERAL BOND RETIREMENT FUND
101-GENERAL FUND	878,000	408-GENERAL IMPROVEMENT & REPAIR FUND
101-GENERAL FUND	551,000	415-ENEREGY EFFICIENCY FUND
101-GENERAL FUND	605,000	440-LAND ACQUISITION FUND
101-GENERAL FUND	94,000	511-STREET LIGHTING FUND
101-GENERAL FUND	120,000	926-SICK LEAVE BENEFIT FUND
101-GENERAL FUND	80,000	927-SALARY AND BENEFITS RESERVE FUND
TOTAL TRANSFERS FROM FUNDS	\$2,578,000	

Section 3: 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 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: 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 2023 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2022.

 Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. 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

City of South Euclid
Exhibit 1
2023 Appropriations - As Amended

101 GENERAL FUND	24,860,188.63
1 Security of Persons and Property	11,510,714.00
1110 POLICE DEPARTMENT	5,674,332.00
PERSONNEL SERVICES	4,955,528.00
OTHER CHARGES	718,804.00
1111 POLICE DEPT- ADM SUPPORT	184,015.00
PERSONNEL SERVICES	175,015.00
OTHER CHARGES	9,000.00
1112 POLICE DEPT- SCHOOL GUARDS	121,742.00
PERSONNEL SERVICES	94,742.00
OTHER CHARGES	27,000.00
1120 FIRE DEPARTMENT	4,807,625.00
PERSONNEL SERVICES	4,409,075.00
OTHER CHARGES	398,550.00
1122 FIRE DEPARTMENT-HYDRANTS	38,000.00
OTHER CHARGES	38,000.00
1130 DISPATCHERS	685,000.00
OTHER CHARGES	685,000.00
2 Public Health & Welfare Services	100,000.00
2210 SUPPORT OF PRISONERS	100,000.00
OTHER CHARGES	100,000.00
3 Leisure Time Activities	868,572.00
3310 RECREATION	526,311.00
PERSONNEL SERVICES	201,061.00
OTHER CHARGES	325,250.00
3350 COMMUNITY CENTER	342,261.00
PERSONNEL SERVICES	207,161.00
OTHER CHARGES	135,100.00
4 Community Environment	2,194,736.00
4410 BUILDING DEPARTMENT	1,377,983.00
PERSONNEL SERVICES	1,098,783.00
OTHER CHARGES	279,200.00
4430 ECONOMIC DEVELOPMENT DEPT	425,587.00
PERSONNEL SERVICES	200,087.00
OTHER CHARGES	225,500.00
4440 COMMUNITY RELATIONS DEPT	264,071.00
PERSONNEL SERVICES	175,071.00
OTHER CHARGES	89,000.00
4450 BOARDS AND COMMISSIONS	50,448.00
PERSONNEL SERVICES	38,498.00
OTHER CHARGES	11,950.00

City of South Euclid
Exhibit 1
2023 Appropriations - As Amended

4460	YOUTH INITIATIVE	76,647.00
	PERSONNEL SERVICES	24,647.00
	OTHER CHARGES	52,000.00
5	Basic Utility Service	1,870,952.00
5510	RUBBISH COLLECTION & DISPOSAL	1,750,000.00
	OTHER CHARGES	1,750,000.00
5520	CURBSIDE RECYCLING	120,952.00
	PERSONNEL SERVICES	105,952.00
	OTHER CHARGES	15,000.00
6	Transportation	1,175,667.00
6610	SERVICE DEPARTMENT	664,376.00
	PERSONNEL SERVICES	336,626.00
	OTHER CHARGES	327,750.00
6620	SERVICE GARAGE	499,397.00
	PERSONNEL SERVICES	224,897.00
	OTHER CHARGES	274,500.00
6630	STREET CONSTRUCTION & MAINT	11,894.00
	PERSONNEL SERVICES	11,894.00
7	General Government	4,561,547.63
7710	MAYOR'S OFFICE	258,096.00
	PERSONNEL SERVICES	216,496.00
	OTHER CHARGES	41,600.00
7720	CITY COUNCIL	92,421.00
	PERSONNEL SERVICES	63,721.00
	OTHER CHARGES	28,700.00
7730	FINANCE DEPARTMENT	497,882.00
	PERSONNEL SERVICES	432,132.00
	OTHER CHARGES	65,750.00
7731	INCOME TAX ADMIN-RITA	515,000.00
	OTHER CHARGES	515,000.00
7740	LEGAL DEPARTMENT	647,560.00
	PERSONNEL SERVICES	232,260.00
	OTHER CHARGES	415,300.00
7750	MUNICIPAL COURT	817,594.63
	PERSONNEL SERVICES	780,293.00
	OTHER CHARGES	37,301.63
7760	CIVIL SERVICE COMMISSION	38,136.00
	PERSONNEL SERVICES	5,986.00
	OTHER CHARGES	32,150.00
7770	ENGINEERING DEPARTMENT	45,856.00
	PERSONNEL SERVICES	41,656.00
	OTHER CHARGES	4,200.00

City of South Euclid
 Exhibit 1
 2023 Appropriations - As Amended

7780 MUNICIPAL COMPLEX	796,402.00
PERSONNEL SERVICES	137,202.00
OTHER CHARGES	659,200.00
7790 GENERAL SERVICES	584,500.00
PERSONNEL SERVICES	38,265.00
OTHER CHARGES	546,235.00
7791 INSURANCE	268,100.00
OTHER CHARGES	268,100.00
9 Other Financing Uses	2,578,000.00
9910 TRANSFERS OUT	2,578,000.00
OTHER CHARGES	2,578,000.00
107 COMMUNITY DIVERSION PROGRAM	7,898.00
1 Security of Persons and Property	7,898.00
1110 POLICE DEPARTMENT	7,898.00
PERSONNEL SERVICES	5,598.00
OTHER CHARGES	2,300.00
202 ST. CONST & MAINT	1,548,620.00
6 Transportation	1,548,620.00
6630 STREET CONSTRUCTION & MAINT	1,548,620.00
PERSONNEL SERVICES	1,168,920.00
OTHER CHARGES	379,700.00
203 STATE HIGHWAY	50,000.00
6 Transportation	50,000.00
6640 STATE HIGHWAY	50,000.00
OTHER CHARGES	50,000.00
206 SWIMMING POOLS	294,799.00
3 Leisure Time Activities	294,799.00
3320 SWIMMING POOLS	294,799.00
PERSONNEL SERVICES	199,624.00
OTHER CHARGES	95,175.00
207 PERMISSIVE-M.V.L. TAX FUND	160,000.00
6 Transportation	160,000.00
6630 STREET CONSTRUCTION & MAINT	160,000.00
OTHER CHARGES	160,000.00
220 POLICE RANGE FUND	60,400.00
1 Security of Persons and Property	60,400.00
1110 POLICE DEPARTMENT	60,400.00
OTHER CHARGES	60,400.00
221 LAW ENFORCEMENT TRUST FUND	110,000.00
1 Security of Persons and Property	110,000.00
1110 POLICE DEPARTMENT	110,000.00
OTHER CHARGES	110,000.00

City of South Euclid
Exhibit 1
2023 Appropriations - As Amended

222	FEMA FIREFIGHTERS GRANT	1,404.00
1	Security of Persons and Property	1,404.00
1120	FIRE DEPARTMENT	1,404.00
	OTHER CHARGES	1,404.00
230	MISCELLANEOUS FEDERAL GRANTS	700,000.00
3	Leisure Time Activities	300,000.00
3310	RECREATION	300,000.00
	OTHER CHARGES	300,000.00
6	Transportation	400,000.00
6630	STREET CONSTRUCTION & MAINT	400,000.00
	OTHER CHARGES	400,000.00
327	MISCELLANEOUS	69,727.00
8	Debt Service	69,727.00
8850	DEBT SERVICE	69,727.00
	OTHER CHARGES	69,727.00
408	GENERAL IMPROVE & REPAIR	1,522,900.00
1	Security of Persons and Property	354,450.00
1110	POLICE DEPARTMENT	331,450.00
	OTHER CHARGES	331,450.00
1120	FIRE DEPARTMENT	23,000.00
	OTHER CHARGES	23,000.00
3	Leisure Time Activities	392,000.00
3310	RECREATION	332,000.00
	OTHER CHARGES	332,000.00
3320	SWIMMING POOLS	60,000.00
	OTHER CHARGES	60,000.00
4	Community Environment	49,450.00
4410	BUILDING DEPARTMENT	49,450.00
	OTHER CHARGES	49,450.00
6	Transportation	727,000.00
6610	SERVICE DEPARTMENT	182,000.00
	OTHER CHARGES	182,000.00
6630	STREET CONSTRUCTION & MAINT	30,000.00
	OTHER CHARGES	30,000.00
6650	PARKING LOTS	515,000.00
	OTHER CHARGES	515,000.00
409	SAFTY FORCES VEHICLE FUND	250,000.00
1	Security of Persons and Property	250,000.00
1120	FIRE DEPARTMENT	250,000.00
	OTHER CHARGES	250,000.00

City of South Euclid
Exhibit 1
2023 Appropriations - As Amended

410	SAFTY FORCES LEVY	1,832,600.00
1	Security of Persons and Property	1,832,600.00
1110	POLICE DEPARTMENT	916,300.00
	PERSONNEL SERVICES	900,300.00
	OTHER CHARGES	16,000.00
1120	FIRE DEPARTMENT	916,300.00
	PERSONNEL SERVICES	900,300.00
	OTHER CHARGES	16,000.00
411	POLICE VEHICLE & EQUIPMENT FUN	30,000.00
1	Security of Persons and Property	30,000.00
1110	POLICE DEPARTMENT	30,000.00
	OTHER CHARGES	30,000.00
415	Energy Efficiency Fund	550,346.00
8	Debt Service	550,346.00
8850	DEBT SERVICE	550,346.00
	OTHER CHARGES	550,346.00
424	WATER DISTRIBUTION INFRA STRUC	1,487,000.00
5	Basic Utility Service	1,487,000.00
5560	WATER	1,487,000.00
	OTHER CHARGES	1,487,000.00
425	ROAD IMPROVE	6,878,384.12
6	Transportation	2,945,114.12
6630	STREET CONSTRUCTION & MAINT	2,945,114.12
	OTHER CHARGES	2,945,114.12
8	Debt Service	3,933,270.00
8850	DEBT SERVICE	3,933,270.00
	OTHER CHARGES	3,933,270.00
426	FLOOD CONTROL	2,153,512.29
5	Basic Utility Service	1,865,500.00
5550	FLOOD CONTROL	1,865,500.00
	OTHER CHARGES	1,865,500.00
6	Transportation	500.00
6630	STREET CONSTRUCTION & MAINT	500.00
	OTHER CHARGES	500.00
8	Debt Service	287,512.29
8850	DEBT SERVICE	287,512.29
	OTHER CHARGES	287,512.29
427	SIDEWALK IMPROVEMENT	7.00
6	Transportation	7.00
6660	SIDEWALKS	7.00
	OTHER CHARGES	7.00

City of South Euclid
Exhibit 1
2023 Appropriations - As Amended

430 STANHOPE PARKING LOT CONST.	2,850.00
7 General Government	2,850.00
7792 MISCELLANEOUS	2,850.00
OTHER CHARGES	2,850.00
440 LAND ACQUISITION FUND	1,611,060.00
8 Debt Service	1,611,060.00
8850 DEBT SERVICE	1,611,060.00
OTHER CHARGES	1,611,060.00
511 STREET LIGHTING	471,500.00
5 Basic Utility Service	471,500.00
5530 STREET LIGHTING	471,500.00
OTHER CHARGES	471,500.00
516 SEWER RENTAL	498,155.00
5 Basic Utility Service	498,155.00
5540 SEWER MAINTENANCE	498,155.00
PERSONNEL SERVICES	469,425.00
OTHER CHARGES	28,730.00
517 SEWER REHABILITATION FUND	400.00
5 Basic Utility Service	400.00
5540 SEWER MAINTENANCE	400.00
OTHER CHARGES	400.00
614 POLICE PENSION	121,915.10
1 Security of Persons and Property	121,915.10
1110 POLICE DEPARTMENT	121,915.10
OTHER CHARGES	121,915.10
615 FIRE PENSION	121,850.00
1 Security of Persons and Property	121,850.00
1120 FIRE DEPARTMENT	121,850.00
OTHER CHARGES	121,850.00
917 TREASURY FUND	1,881,357.49
7 General Government	1,881,357.49
7790 GENERAL SERVICES	1,881,357.49
PERSONNEL SERVICES	10,231.00
OTHER CHARGES	1,871,126.49
924 CORONA VIRUS LOCAL FISCAL RELIEF FUND	112,731.01
7 General Government	112,731.01
7780 MUNICIPAL COMPLEX	112,731.01
OTHER CHARGES	112,731.01
926 SICK LEAVE BEN	180,000.00
7 General Government	180,000.00
7790 GENERAL SERVICES	180,000.00
PERSONNEL SERVICES	180,000.00
Grand Total	47,569,604.64



COME TOGETHER & THRIVE

Memorandum

To: Members of Council
From: Keith Ari Benjamin, Director of Community Services
Date: December 8, 2022
RE: Ordinance 21-22: 2022 Final Budget Appropriations

Ordinance 21-22 is the annual final Budget Appropriation Ordinance required to close out the 2022 Fiscal Year.

Please don't hesitate to let Finance Director Himmelein know if you have any questions or need additional information.

Thank you.

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 21-22
 INTRODUCED BY: Gray
 REQUESTED BY: Mayor

December 12, 2022

AN ORDINANCE

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, 2022; AND DECLARING AN EMERGENCY.

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

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, 2022, the sums as herein set forth in Exhibit 1 be and the same are hereby appropriated.

Section 2: There shall be, and there are hereby, monies transferred from various funds in amount not to exceed those stated below.

FROM	AMOUNT	TO
101-GENERAL FUND	\$190,000	206-SWIMMING POOLS
101-GENERAL FUND	50,000	327-GENERAL BOND RETIREMENT FUND
101-GENERAL FUND	1,128,000	408-GENERAL IMPROVEMENT & REPAIR FUND
101-GENERAL FUND	560,573	415-ENEREGY EFFICIENCY FUND
101-GENERAL FUND	440,000	440-LAND ACQUISITION FUND
101-GENERAL FUND	94,000	511-STREET LIGHTING FUND
101-GENERAL FUND	80,000	927-SALARY AND BENEFITS RESERVE FUND
TOTAL TRANSFERS FROM FUNDS	\$2,542,573	

Section 3: 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 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: 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 2022 unless this Ordinance goes into immediate effect. Wherefore, this Ordinance shall take effect upon passage and approval.

Passed this _____ day of _____, 2022.

 Ruth Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. 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

City of South Euclid
 Exhibit 1
 2022 Appropriations

101	GENERAL FUND	25,572,849.68
1	Security of Persons and Property	11,864,087.59
1110	POLICE DEPARTMENT	5,701,987.98
	PERSONNEL SERVICES	5,183,510.28
	OTHER CHARGES	518,477.70
1111	POLICE DEPT- ADM SUPPORT	178,410.58
	PERSONNEL SERVICES	177,410.17
	OTHER CHARGES	1,000.41
1112	POLICE DEPT- SCHOOL GUARDS	135,729.86
	PERSONNEL SERVICES	133,719.00
	OTHER CHARGES	2,010.86
1120	FIRE DEPARTMENT	5,083,384.27
	PERSONNEL SERVICES	4,612,486.88
	OTHER CHARGES	470,897.39
1122	FIRE DEPARTMENT-HYDRANTS	38,000.00
	OTHER CHARGES	38,000.00
1130	DISPATCHERS	726,574.90
	OTHER CHARGES	726,574.90
2	Public Health & Welfare Services	133,263.09
2210	SUPPORT OF PRISONERS	133,263.09
	OTHER CHARGES	133,263.09
3	Leisure Time Activities	685,719.73
3310	RECREATION	326,004.25
	PERSONNEL SERVICES	201,435.84
	OTHER CHARGES	124,568.41
3350	COMMUNITY CENTER	359,715.48
	PERSONNEL SERVICES	221,979.00
	OTHER CHARGES	137,736.48
4	Community Environment	2,410,233.52
4410	BUILDING DEPARTMENT	1,367,714.88
	PERSONNEL SERVICES	1,092,717.00
	OTHER CHARGES	274,997.88
4430	ECONOMIC DEVELOPMENT DEPT	492,606.69
	PERSONNEL SERVICES	272,116.00
	OTHER CHARGES	220,490.69
4440	COMMUNITY RELATIONS DEPT	366,985.53
	PERSONNEL SERVICES	113,489.00
	OTHER CHARGES	253,496.53
4450	BOARDS AND COMMISSIONS	51,131.00
	PERSONNEL SERVICES	45,681.00
	OTHER CHARGES	5,450.00

**City of South Euclid
Exhibit 1
2022 Appropriations**

4460	YOUTH INITIATIVE	131,795.42
	PERSONNEL SERVICES	25,711.00
	OTHER CHARGES	106,084.42
5	Basic Utility Service	1,949,703.24
5510	RUBBISH COLLECTION & DISPOSAL	1,828,027.70
	OTHER CHARGES	1,828,027.70
5520	CURBSIDE RECYCLING	121,675.54
	PERSONNEL SERVICES	108,975.54
	OTHER CHARGES	12,700.00
6	Transportation	1,328,414.24
6610	SERVICE DEPARTMENT	775,118.16
	PERSONNEL SERVICES	308,327.84
	OTHER CHARGES	466,790.32
6620	SERVICE GARAGE	553,296.08
	PERSONNEL SERVICES	222,171.20
	OTHER CHARGES	331,124.88
7	General Government	4,658,855.27
7710	MAYOR'S OFFICE	257,957.52
	PERSONNEL SERVICES	212,871.00
	OTHER CHARGES	45,086.52
7720	CITY COUNCIL	144,878.50
	PERSONNEL SERVICES	104,339.00
	OTHER CHARGES	40,539.50
7730	FINANCE DEPARTMENT	492,345.94
	PERSONNEL SERVICES	414,808.00
	OTHER CHARGES	77,537.94
7731	INCOME TAX ADMIN-RITA	515,000.00
	OTHER CHARGES	515,000.00
7740	LEGAL DEPARTMENT	646,344.19
	PERSONNEL SERVICES	228,309.00
	OTHER CHARGES	418,035.19
7750	MUNICIPAL COURT	817,594.63
	PERSONNEL SERVICES	780,293.00
	OTHER CHARGES	37,301.63
7760	CIVIL SERVICE COMMISSION	40,063.00
	PERSONNEL SERVICES	7,913.00
	OTHER CHARGES	32,150.00
7770	ENGINEERING DEPARTMENT	26,558.00
	PERSONNEL SERVICES	22,358.00
	OTHER CHARGES	4,200.00

City of South Euclid
 Exhibit 1
 2022 Appropriations

7780 MUNICIPAL COMPLEX	710,942.66
PERSONNEL SERVICES	65,489.00
OTHER CHARGES	645,453.66
7790 GENERAL SERVICES	736,955.83
PERSONNEL SERVICES	41,894.83
OTHER CHARGES	695,061.00
7791 INSURANCE	270,215.00
OTHER CHARGES	270,215.00
9 Other Financing Uses	2,542,573.00
9910 TRANSFERS OUT	2,542,573.00
OTHER CHARGES	2,542,573.00
107 COMMUNITY DIVERSION PROGRAM	11,530.95
1 Security of Persons and Property	11,530.95
1110 POLICE DEPARTMENT	11,530.95
PERSONNEL SERVICES	7,180.00
OTHER CHARGES	4,350.95
202 ST. CONST & MAINT	1,527,085.92
6 Transportation	1,527,085.92
6630 STREET CONSTRUCTION & MAINT	1,527,085.92
PERSONNEL SERVICES	1,086,343.58
OTHER CHARGES	440,742.34
203 STATE HIGHWAY	100,000.00
6 Transportation	100,000.00
6640 STATE HIGHWAY	100,000.00
OTHER CHARGES	100,000.00
206 SWIMMING POOLS	289,885.29
3 Leisure Time Activities	289,885.29
3320 SWIMMING POOLS	289,885.29
PERSONNEL SERVICES	183,370.00
OTHER CHARGES	106,515.29
207 PERMISSIVE-M.V.L. TAX FUND	320,000.00
6 Transportation	320,000.00
6630 STREET CONSTRUCTION & MAINT	320,000.00
OTHER CHARGES	320,000.00
220 POLICE RANGE FUND	44,265.40
1 Security of Persons and Property	44,265.40
1110 POLICE DEPARTMENT	44,265.40
OTHER CHARGES	44,265.40
221 LAW ENFORCEMENT TRUST FUND	110,000.00
1 Security of Persons and Property	110,000.00
1110 POLICE DEPARTMENT	110,000.00
OTHER CHARGES	110,000.00

City of South Euclid
 Exhibit 1
 2022 Appropriations

222	FEMA FIREFIGHTERS GRANT	1,504.00
1	Security of Persons and Property	1,504.00
1120	FIRE DEPARTMENT	1,504.00
	OTHER CHARGES	1,504.00
327	MISCELLANEOUS	72,360.00
8	Debt Service	72,360.00
8850	DEBT SERVICE	72,360.00
	OTHER CHARGES	72,360.00
408	GENERAL IMPROVE & REPAIR	2,206,705.22
1	Security of Persons and Property	533,897.89
1110	POLICE DEPARTMENT	506,390.33
	OTHER CHARGES	506,390.33
1120	FIRE DEPARTMENT	27,507.56
	OTHER CHARGES	27,507.56
3	Leisure Time Activities	905,000.00
3310	RECREATION	765,000.00
	OTHER CHARGES	765,000.00
3320	SWIMMING POOLS	60,000.00
	OTHER CHARGES	60,000.00
3350	COMMUNITY CENTER	80,000.00
	OTHER CHARGES	80,000.00
4	Community Environment	42,450.00
4410	BUILDING DEPARTMENT	42,450.00
	OTHER CHARGES	42,450.00
6	Transportation	624,119.33
6610	SERVICE DEPARTMENT	222,339.33
	OTHER CHARGES	222,339.33
6630	STREET CONSTRUCTION & MAINT	56,780.00
	OTHER CHARGES	56,780.00
6650	PARKING LOTS	345,000.00
	OTHER CHARGES	345,000.00
7	General Government	101,238.00
7780	MUNICIPAL COMPLEX	101,238.00
	OTHER CHARGES	101,238.00
409	SAFTY FORCES VEHICLE FUND	503,451.06
1	Security of Persons and Property	503,451.06
1120	FIRE DEPARTMENT	503,451.06
	OTHER CHARGES	503,451.06

City of South Euclid
Exhibit 1
2022 Appropriations

410	SAFTY FORCES LEVY	1,830,778.00
1	Security of Persons and Property	1,830,778.00
1110	POLICE DEPARTMENT	915,389.00
	PERSONNEL SERVICES	900,300.00
	OTHER CHARGES	15,089.00
1120	FIRE DEPARTMENT	915,389.00
	PERSONNEL SERVICES	900,300.00
	OTHER CHARGES	15,089.00
411	POLICE VEHICLE & EQUIPMENT FUN	30,000.00
1	Security of Persons and Property	30,000.00
1110	POLICE DEPARTMENT	30,000.00
	OTHER CHARGES	30,000.00
415	Energy Efficiency Fund	560,573.00
8	Debt Service	560,573.00
8850	DEBT SERVICE	560,573.00
	OTHER CHARGES	560,573.00
424	WATER DISTRIBUTION INFRA STRUC	574,500.00
5	Basic Utility Service	574,500.00
5560	WATER	574,500.00
	OTHER CHARGES	574,500.00
425	ROAD IMPROVE	5,659,322.23
6	Transportation	3,986,719.73
6630	STREET CONSTRUCTION & MAINT	3,986,719.73
	OTHER CHARGES	3,986,719.73
8	Debt Service	1,672,602.50
8850	DEBT SERVICE	1,672,602.50
	OTHER CHARGES	1,672,602.50
426	FLOOD CONTROL	2,778,016.53
5	Basic Utility Service	2,456,134.23
5550	FLOOD CONTROL	2,456,134.23
	OTHER CHARGES	2,456,134.23
6	Transportation	500.00
6630	STREET CONSTRUCTION & MAINT	500.00
	OTHER CHARGES	500.00
8	Debt Service	321,382.30
8850	DEBT SERVICE	321,382.30
	OTHER CHARGES	321,382.30
427	SIDEWALK IMPROVEMENT	7.00
6	Transportation	7.00
6660	SIDEWALKS	7.00
	OTHER CHARGES	7.00

City of South Euclid
 Exhibit 1
 2022 Appropriations

430	STANHOPE PARKING LOT CONST.	2,850.00
7	General Government	2,850.00
7792	MISCELLANEOUS	2,850.00
	OTHER CHARGES	2,850.00
440	LAND ACQUISITION FUND	1,385,276.00
8	Debt Service	1,385,276.00
8850	DEBT SERVICE	1,385,276.00
	OTHER CHARGES	1,385,276.00
511	STREET LIGHTING	471,500.00
5	Basic Utility Service	471,500.00
5530	STREET LIGHTING	471,500.00
	OTHER CHARGES	471,500.00
516	SEWER RENTAL	496,119.52
5	Basic Utility Service	496,119.52
5540	SEWER MAINTENANCE	496,119.52
	PERSONNEL SERVICES	459,658.67
	OTHER CHARGES	36,460.85
517	SEWER REHABILITATION FUND	400.00
5	Basic Utility Service	400.00
5540	SEWER MAINTENANCE	400.00
	OTHER CHARGES	400.00
614	POLICE PENSION	161,000.00
1	Security of Persons and Property	161,000.00
1110	POLICE DEPARTMENT	161,000.00
	OTHER CHARGES	161,000.00
615	FIRE PENSION	163,000.00
1	Security of Persons and Property	163,000.00
1120	FIRE DEPARTMENT	163,000.00
	OTHER CHARGES	163,000.00
917	TREASURY FUND	1,840,219.72
7	General Government	1,840,219.72
7790	GENERAL SERVICES	1,840,219.72
	PERSONNEL SERVICES	18,976.00
	OTHER CHARGES	1,821,243.72
924	CORONA VIRUS LOCAL FISCAL RELIEF FUND	1,552,497.22
7	General Government	1,552,497.22
7780	MUNICIPAL COMPLEX	1,552,497.22
	OTHER CHARGES	1,552,497.22
925	COVID	7,222.93
7	General Government	7,222.93
7780	MUNICIPAL COMPLEX	7,222.93
	OTHER CHARGES	7,222.93

City of South Euclid
Exhibit 1
2022 Appropriations

926	SICK LEAVE BEN	60,870.00
7	General Government	60,870.00
7790	GENERAL SERVICES	60,870.00
	PERSONNEL SERVICES	60,870.00
<hr/> Grand Total		48,333,789.67



COME TOGETHER & THRIVE

Memorandum

To: Members of Council
From: Keith Ari Benjamin, Director of Community Services
Date: December 8, 2022
RE: Ordinance 22-22: Salary Ordinance Update

As discussed during the Law Director's budget hearing, Ordinance 22-22, as requested by Law Director Lograsso, updates the salary range for Prosecutors and clarifications regarding the Law Director and PERS. **The proposed revisions are on pages 1-2 and are bolded in red. There are no other changes.**

Please don't hesitate to let Law Director Lograsso know if you have any questions or need additional information.

Thank you.

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 22-22
 INTRODUCED BY: Gray
 REQUESTED BY: Hardy

October 24, 2022

AN ORDINANCE

FIXING THE SALARY RANGE, COMPENSATION AND RATES OF PAY FOR VARIOUS OFFICES, BOARDS, COMMISSIONS AND DEPARTMENTS OF THE MUNICIPAL GOVERNMENT, REPEALING ORDINANCE NO. 18-22 ADOPTED OCTOBER 24, 2022 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; AND DECLARING AN EMERGENCY.

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

Section 1: That title, salary, and compensation for the following listed offices are hereby established not to exceed the following amounts (not including longevity):

<u>ADMINISTRATION</u>	<u>RANGE</u>		
	<u>FROM</u>	<u>TO</u>	
Mayor	Reference ordinance number 12-07		
Council	Reference ordinance number 34-10		
Finance Director	\$100,000	\$130,000	Per annum
Building Commissioner/ Zoning Administrator	\$100,000	\$130,000	Per annum
Service Director	\$100,000	\$130,000	Per annum
Planning & Development Director	\$58,012	\$93,480	Per annum
Community Development, Services and Civic Engagement Director	\$58,012	\$93,480	Per annum
Housing Manager	\$53,060	\$93,480	Per annum
Parks & Recreation Director	\$53,060	\$93,480	Per annum
Community Center Director	\$53,060	\$93,480	Per annum
Asst. Director Planning & Development	\$50,382	\$75,000	Per annum
Assistant Service Director	\$50,382	\$75,000	Per annum
Assistant Finance Director	\$50,382	\$96,900	Per annum
Law Director	\$54,173	\$75,240	Per annum and \$160.00 per hour for his or his designee's preparation, representation & appearance in all County, State and Federal Courts including preparation, representation and appearance before State and Federal Boards and Commissions and to representation in all City labor matters. For the current Law Director through December 31, 2023, all such income shall be considered earned income for the purposes of OPERS withholding.

ADMINISTRATION (continued)

RANGE

	<u>FROM</u>	<u>TO</u>
Prosecutors	\$15,918	\$35,000 \$31,836 \$120.00 per hour for preparation and appearance in County and State Courts and State and Federal Boards or Commissions, and for preparation and trial time for jury trials in the South Euclid Municipal Court.
City Engineer	\$10,612	\$21,224 Per annum
Fire Chief	Reference ordinance number 04-06	
Police Chief	Reference ordinance number 03-06	
Asst. Fire Chief	Reference ordinance number 04-06	
Asst. Police Chief	Reference ordinance number 03-06	

The Fire Chief, Police Chief, Assistant Fire Chief and Assistant Police Chief shall be entitled to the benefits afforded to their perspective unions under their collective bargaining agreements with the exception of overtime compensation and accrual of accumulated time.

For a Finance Director or Assistant Finance Director who hold a Certified Public Accounting certificate, they shall be entitled to an additional stipend of \$3,000.00 per year.

For a Building Commissioner who holds an Ohio Registration as an Architect or Professional Engineer, they shall be entitled to an additional stipend of \$3,000.00 per year.

The foregoing enumerated offices constitutes administrative and supervisory positions in the city government, and no overtime compensation or accrual of any accumulated compensatory time shall be authorized or permitted.

Traffic Commissioner	Paid one-half rank differential between Police Sergeant and Police Lieutenant
----------------------	---

Section 2: That title, salary and rates of pay for the following special service employees are hereby established not to exceed the following amounts:

SPECIAL SERVICE EMPLOYEES

Special Police Officer

Current Class "C" rate per CBA

RANGE

	<u>FROM</u>	<u>TO</u>
Auxiliary Police Officers	\$12.00/hr	\$25.00
Jailer	\$16.00/hr.	\$31.00
Senior Records Clerk	\$16.00/hr.	\$31.00
Records Clerk	Minimum Wage/hr.	\$22.00
Office Assistant	\$11.00/hr.	\$25.00
Park Guard/Supervisor	Minimum Wage/hr	\$20.00
Parking Ticket Hearing Officer (Refer to Ordinance 147)	\$25.00/hr.	\$25.00/hr.
Administrative Assistant to Police Chief	\$50,382	\$72,586 Per annum
Animal Warden	\$16.00/hr.	\$31.00/hr.

Section 3: That title, salary and rates of pay for the judge and employees of the Municipal Court are hereby established not to exceed the following amounts:

MUNICIPAL COURT

	<u>Annual City Rate</u>
Judge (City Portion)	\$37,950.00
Clerk of Court (City Portion)	\$33,000 – \$57,000
Acting Judge (City Portion)	\$148.20/day
Magistrate (Small Claims) (permanent part time) (City Portion)	\$12,000 - \$27,000

	<u>RANGE</u>	
	<u>FROM</u>	<u>TO</u>
Chief Deputy Clerk (City Portion)	\$20/hr	\$34/hr
Chief Deputy Clerk/Network Administrator	\$20/hr	\$34/hr
Senior Deputy Clerk (City Portion)	\$20/hr	\$34/hr.
Deputy Clerk (City Portion)	\$10/hr \$15/hr.	\$29.24/hr.
Chief Administrative Bailiff (City Portion)	\$15/hr	\$24.28/hr
Chief Security Bailiff (City Portion)	\$15/hr	\$24.48/hr
Security Bailiff (City Portion)	\$12/hr	\$18/hr.
Chief Probation Officer (City Portion)	\$15/hr	\$36.62/hr
Probation Officer (City Portion)	\$15/hr	\$28.85/hr \$25/hr

Section 4: That title, salary and rates of pay for the following departments of the city are hereby established not to exceed the following amounts:

FINANCE DEPARTMENT

	<u>RANGE</u>	
	<u>FROM</u>	<u>TO</u>
Payroll Administrator	\$16.00/hr.	\$31.00/hr
Part Time Office Assistant	Minimum Wage/hr.	\$20.00/hr
Finance Department Assistant	\$14.00/hr.	\$27.00/hr

BUILDING AND HOUSNG DEPARTMENT

Technical

Chief Building Inspector	\$29.00/hr.	\$42.00/hr
Building Inspector I	\$19.00/hr	\$32.00/hr
Building Inspector II	\$27.00/hr.	\$37.00/hr
Lead Housing Inspector	\$19.00/hr.	\$31.00/hr
Housing Inspector	\$17.00/hr.	\$27.00/hr
Permit Specialist	\$16.00/hr.	\$28.00/hr

Administrative

Building or Housing Department Assistant I	\$10.00/hr minimum Wage/hr	\$21.00/hr
Building or Housing Department Assistant II	\$16.00/hr.	\$25.00/hr
Housing Programs Coordinator	\$16.00/hr.	\$28.00/hr
Office Assistant – Part Time	Minimum Wage/hr.	\$20.00/hr
Administrative Asst. to the Building Comm.	\$50,382	\$72,586 Per annum

In addition to the amounts set forth above for Building and Housing Department personnel, an employee holding any of the following certifications set forth under the Ohio Building Code Section 103.2(2) for required personnel shall be entitled to annual compensation in the amount of \$250.00 per license. Interim certifications are excluded. Certifications must be current with the Board of Building Standards. Failure to maintain certifications will result in forfeiture of compensation. Payable with the first pay of December and prorated for the number of months worked in that calendar year.

The eligible certifications are: Building Official, Master Plans Examiner, Building Inspector, Plumbing Inspector, and Electrical Safety Inspector.

SERVICE DEPARTMENT

	<u>RANGE</u>	
	<u>FROM</u>	<u>TO</u>
Part Time	Minimum Wage/hr.	\$21.00/hr.
Administrative Support Specialist	\$16.00/hr.	\$32.00/hr

COMMUNITY CENTER

Administrative Support Specialist	\$9.00/hr Minimum Wage/hr	\$21.00/hr
Building Assistant	Minimum Wage/hr	\$21.00/hr
Support Staff/Maintenance	Minimum Wage/hr	\$21.00/hr

SWIMMING POOL & SPLASH PARK

Pool Director	\$6,898.00	\$11,081 Per season \$10,081
Pool Manager	\$13/hr.	\$17/hr.
Water Instructor	\$12/hr.	\$15/hr.
Lifeguard	\$11/hr.	\$14/hr.
Locker Room (non-certified)	minimum wage/hr	\$12/hr.

MISCELLANEOUS

Clerk of Council	\$16,000	\$28,000 Per annum
Receptionist – Clerk	Minimum Wage/hr	\$25.00/hr
Law Clerk – Part Time	minimum wage/hr	\$17.00/hr
Office Assistant – Part Time	Minimum Wage/hr	\$16.00/hr
Part Time Seasonal Coordinator	Not to exceed \$796.00/week	
Part Time Seasonal Help	Minimum wage/hr.	\$17.00/hr.

Section 5: EXECUTIVE/ADMINISTRATIVE ASSISTANTS

	<u>FROM</u>	<u>RANGE</u>	<u>TO</u>
Executive Assistant to the Mayor	\$50,382		\$75,000

The offices described in Section 5 are administrative and supervisory positions in the city government and therefore no overtime compensation or accrual of any accumulated compensatory time shall be authorized or permitted.

If an employee is regularly designated and agrees to oversee day-to-day department operations in the absence of the Administrator, that person will receive an amount not to exceed five (5) per cent adjustment above the regular hourly rate for all hours worked. Recommendation for being designated or removed from this assigned rate will require the concurrence of the Department Administrator and the Mayor. This adjustment is specifically excluded when calculating payment within the pay range.

Section 6: That title, salary and compensation of appointees and employees of the various Boards and Commissions of the City are hereby established not to exceed the following amounts and number of meetings listed below:

BOARDS AND COMMISSIONS

Board of Zoning Appeals:	Chairman	\$2,100 Per annum
	Members	\$1,500 Per annum
City Planning Commission:	Chairman	\$2,100 Per annum
	Members	\$1,500 Per annum
Civil Service Commission:	Chairman	\$2,100 Per annum
	Members	\$1,500 Per annum
Jury Commission:	Chairman	\$4,000 Per annum
(Not to exceed One (1))	Members	\$1,600 Per annum
Architectural Review Board	Chairman	\$2,100 Per annum
	Members	\$1,500 Per annum
Records Commission	Chairman	\$1,200 Per annum
	Member	\$ 800 Per annum

BOARDS AND COMMISSIONS (continued)

Secretaries:	
Civil Service Commission	\$100 Per meeting
Zoning & Bldg. Stand. Bd. of Appeals	\$100 Per meeting
Planning & Zoning Commission	\$110 Per meeting
Other Boards & Commissions	\$ 70 Per meeting
Architectural Review Board	\$100 Per meeting

Section 7: LONGEVITY

All officials elected to a full time office who purchase additional service credits as permitted by Section 145.201 of the Revised Code of Ohio shall be reimbursed in amount of the costs thereof.

That in addition to their regular compensation, all full time employees with the exception of regular full time

members of the members of the Police, Fire, Service and Dispatch who are covered by a collective bargaining agreement shall be paid additional annual compensation for length of continuous service as follows:

1st through 5th year of continuous service	-	No Entitlement
6th through 10th year of continuous service	-	\$ 900.00
11th through 15th year of continuous service	-	\$1,200.00
16th through 20th year of continuous service	-	\$1,500.00
21st year of continuous service & thereafter	-	\$1,800.00

This amount shall be paid only for the year represented, and not a cumulative amount including prior years. For the purpose of applying this section, the anniversary date of appointment or employment unless it be on the first of any month, shall be considered as being on the first of the month next following the actual date of appointment or employment for which entitlement for service is allowed.

Section 8: UNIFORM ALLOWANCES

Uniform allowances for specified employees within the Department of Public Safety are hereby established as follows:

Uniform allowance for regular school guard personnel, \$350.00 per year payable with the second pay of the month in March.

Uniform allowance for Police civilian personnel to be \$650.00 per year, to be paid in equal installments with the second pay of the month in March and second pay of the month in September of each year. Uniform allowance for part-time Police civilian personnel (working minimum of 20 hrs/week) to be \$440.00 and to be paid in equal installments with the second pay of the month in March and second pay of the month in September.

Uniform allowance for Special Police Officers and Auxiliaries to be \$350.00 per year, to be paid in equal installments with the second pay of the month in March and second pay of the month in September.

In the event an employee's employment is terminated either by the employee or by the city, the uniform allowance paid shall be recovered by the City on a prorated basis computed on full calendar months worked in the current year of employment and the balance due the City shall be deducted from the final salary payment.

Section 9: VACATIONS

The following vacation allowances, schedule and conditions are hereby established for employees of the City:

(A) All full time employees shall be granted the following vacation with pay each year based upon their cumulative length of continuous service as follows:

Hourly paid permanent part-time employees shall accrue vacation time in the same manner as full time employees, except that the per day hours of vacation pay shall be those part-time hours normally worked by said part-time employees. Seasonal employees are defined as those who are employed to work for a specific limited period of time, regardless of number of hours worked in one week, shall not be entitled to vacation pay. Permanent part-time employees are defined as one who is scheduled to work fifty-two (52) weeks per calendar year at regular scheduled hours per week which must be in excess of twenty (20) hours.

<u>Length of Service</u>	<u>Length of Vacation</u>
During 1st year of employment	One-sixth (1/6) week per month to December 31, from date of hire.
After 1 year	Two (2) weeks
After 5 years	Three (3) weeks
After 12 years	Four (4) weeks
After 17 years	Five (5) weeks
After 25 years	Six (6) weeks

Vacation pay for employees shall be at the employee's weekly rate of pay.

(B) For the purposes of computing vacation to which an employee may be entitled, all employees shall have a common anniversary date of December 31. In order that no employees be penalized by reason of the common anniversary date, the following accrual periods shall be observed:

1. During the first year of employment, vacation will be earned at a rate of 1/6th of a week's vacation for each full month worked from the employee's date of hire to the common anniversary date.
2. During the fifth year of employment vacation will be earned at the rate of 1/4th of a week's vacation for each full month worked from the employee's fourth (4th) anniversary date to the common anniversary date.
3. During the twelfth year of employment, vacation will be earned at the rate of 1/3rd of a week's vacation for each full month worked from the employee's eleventh (11th) anniversary date to the common anniversary date.

date.

4. During the seventeenth year of employment, vacation will be earned at the rate of 5/12th of a week's vacation for each full month worked from the employee's seventeenth (17th) anniversary date to the common anniversary date.
5. During the twenty-fifth year of employment, vacation will be earned at the rate of 1/2th of a week's vacation for each full month worked from the employee's twenty-fourth (24th) anniversary date to the common anniversary date.

For those employees hired prior to the sixteenth (16th) of the month, computation will be made as of the first day of the month hired.

For those employees hired from the sixteenth (16th) to the end of the month, computation will be made effective the next month.

- (C) The right to schedule an employee's vacation period is reserved by the City. Employees shall notify the City by February 1, of each year of their choice of vacation dates. The City will post the vacation schedule by March 1, of each year. Wherever possible the City will seek to accommodate employees as to vacation dates. Any conflict in choice shall be resolved on the basis of departmental seniority. Request for vacation period changes must be made at least two weeks prior to the beginning of the previously approved vacation period. The City may reschedule an employee's vacation period for operational reasons provided it notifies the employee's previously approved vacation. Employees shall be required to take their vacation time off from work and may not receive vacation pay in lieu thereof.
- (D) Vacation time may only be transferred from one year to another year with the expressed written consent of the Mayor.
- (E) If a holiday as provided for in Section 10, of this ordinance falls within a full time or permanent part-time employee's scheduled vacation, it will be considered a designated holiday and not a vacation day.
- (F) An eligible employee may elect to receive his vacation check on the pay date prior to the employee's vacation provided two (2) weeks notice has been given of the employee's desire to receive a vacation check.
- (G) An employee who is discharged or who terminates his employment after qualifying for a vacation shall be paid one-twelfth (1/12) the vacation pay due him based upon his completed length of service, for each full month of employment or major fraction thereof for which he has received no vacation pay, provided the employee has given the City two (2) weeks advance notice of his termination of employment. In the event an employee terminates his employment or is discharged and later rehired, he shall be considered a newly-hired employee. In the event of the death of an employee, his accrued vacation pay shall be paid to his surviving spouse or to his estate.
- (H) Any employee who sustains a work related injury covered by Ohio Workers' Compensation will continue to accrue vacation during the period of disability provided the employee returns to his normal duties within one hundred and eighty (180) days of the date of injury.
- (I) Any employee who is receiving compensation for authorized sick leave will continue to earn vacation credits during the period of such compensation from the City.
- (J) "Length of Service" as used in this Section pertaining to vacation schedules means years of employment with South Euclid only. However, any employee of the Municipality who has been previously employed in a full-time capacity by the State of Ohio or any of its political subdivisions, providing a letter of verification from the prior public employer is submitted within the 1st year of employment with the City, is entitled to have such prior service counted as years of employment for the purpose of computing vacation time herein and shall be credited as such on January 1st after initial employment with the City.

Section 10: SICK LEAVE

Sick Leave shall be provided in ~~Codified Ord. 137.05~~ Chapter 137 as amended to-date or as provided in the Collective Bargaining Agreements.

Section 11: HOLIDAYS

The following holidays are hereby established for all full time and permanent part time employees:

All full-time employees of the municipality shall be entitled to time off and to be paid at their hourly rate on the basis of a normally scheduled workday for the following designated holidays:

New Year's Day
Martin Luther King, Jr. Day
Memorial Day
Fourth of July

Juneteenth
Labor Day
Thanksgiving Day
Christmas Day

In addition, each full-time employee is entitled six (6) days each calendar year which are undesignated holidays. Employees earn one (1) undesignated holiday for each two (2) calendar months of employment. (See Section 12 for Waiting Period.) Undesignated holidays for the current calendar year only may be used prior to being earned but can only be taken when time permits as decided by the department head. If an employee terminates his/her employment, any holiday taken by the employee but not earned will be repaid to the city by reducing the employees last paycheck.

Permanent part-time employees who are scheduled to work fifty-two weeks per calendar year at regular scheduled hours per week which must be in excess of twenty hours shall be entitled to the designated holidays and undesignated holidays mentioned above. (Payment for permanent part-time employees will be one-fifth (1/5) of their average weekly wage) for each holiday. Employees earn one (1) undesignated holiday for each two (2) calendar months of employment. Undesignated holidays begin to accrue after an employee has completed their waiting period. (See Section 12 for Waiting Period.) Undesignated holidays for the current calendar year only may be used prior to being earned but can only be taken when time permits as decided by the department head. If an employee terminates his/her employment, any holiday taken by the employee but not earned will be repaid to the city by reducing the employees last paycheck.

Eligibility. In order to qualify for holiday pay, any employee who has completed their waiting period, (see Section 12 for Waiting Period) must meet the following requirements:

- A. He/she must be a full-time employee or a permanent part-time employee regularly scheduled to work a minimum of twenty (20) hours per week and have seniority as of the date of such holiday;
- B. He/she must be on the active payroll during the week in which the holiday falls (or the prior week if a Sunday holiday is involved);
- C. He/she must work the last full scheduled shift prior to such holiday and the first full scheduled shift immediately following such holiday unless the employee's absence was involuntary and for a reasonable cause.
- D. Employees who desire to take undesignated holidays must meet the above conditions and give two (2) days' prior notification, if possible, as to when they are taking the time off so that the time off can be approved.

Designated Holiday Observance. Sunday holidays shall be observed on Mondays. If any of the above Holidays falls on a Saturday, the preceding Friday shall be observed as the holiday.

Vacation Exception. Employees who are on vacation during the week in which a holiday is observed and who otherwise qualify for holiday pay and who work their full scheduled shift immediately following such vacation will be paid for that holiday.

Section 12: HEALTHCARE INSURANCE

The City will provide a healthcare plan for full-time employees in active pay status and those recognized by the current healthcare provider and for the Judge of the South Euclid Municipal Court.

Employees who are eligible for health insurance coverage, their dependents and spouses, may voluntarily elect, in writing, not to be covered under the City offered health insurance plan. In the event family coverage is discontinued, the employee may elect to be compensated a minimum of \$400.00 for each month the insurance is discontinued and the employee is not covered by a City health insurance plan. If single coverage is discontinued, the employee may elect to be compensated a minimum of \$144.00 per month for each month the insurance is discontinued and the employee is not covered by a City health insurance plan. Payroll payments under this section will be made the last pay in June and the last pay in December. If two employees are both eligible for family coverage through the city paid health insurance and one of the employees enrolls for family coverage, it renders the other employee ineligible to receive the voluntary waiver of health insurance compensation.

Employees who wish to re-enroll in family or single hospitalization insurance coverage with the City may do so during the various insurance plans' normal enrollment period provided the employee, spouse and dependents meet the eligibility requirements for enrollment. As part of the election not to be covered under the City hospitalization insurance plans, the employee, spouse and dependents must acknowledge that if they should seek re-enrollment in the insurance plans offered by the City, they may not be covered by such carriers for any pre-existing conditions. In addition, the City may require periodic proof of coverage elsewhere. (City to draft waiver.)

Effective January 1, 1999, for all eligible full time employees who have completed two (2) months of service calculated from the employee's date of hire the City will pay the premiums for a minimum \$20,000.00 term life and accidental death and dismemberment insurance.

Section 13: PROBATION PERIOD – WAITING PERIOD

Probation Period – The Probationary Period is considered the first 90 days of employment. All employees shall be considered to be probationary employees until they have completed their probationary period.

Section 14: That officers and employees of the Municipal Government shall be paid bi-weekly, except as otherwise determined by the head of the various departments. All salaries and wages accrued on and after January 1, 2021 shall be paid at the rate provided in this Ordinance.

Section 15: EXPENSE

Any full time, part-time or special employee who is required to use a personal vehicle in the performance of said employee’s municipal duties other than transportation to and from his place of work, shall be reimbursed therefore, at the rate per mile that is currently in effect per IRS Regulations, upon submission to the Finance Director the record indicating the date, time and purpose of such use, and the number of miles driven.

Any employee who, with prior approval of his department head, is required to be beyond the limits of this municipality in the performance of his municipal duties, or to receive training, therefore, shall be reimbursed for the cost of his overnight accommodation and necessary meals consistent with reasonable rates prevailing, as approved by the responsible department head and Mayor.

Section 15A: REIMBURSEMENT FOR APPROVED EDUCATIONAL COURSE COSTS.

For all job related subjects required to attain a bachelor’s degree taken by full time city personnel during an employee's employment and for such other subjects as are approved by the Mayor for department members, the City will reimburse a department member for the costs of said course(s), including applicable tuition, fees, cost of books and related materials necessary in the completion of such course(s), less any amount paid by a federal or public agency toward the cost of said course(s).

The following enumerated conditions and requirements are hereby established as conditions precedent to the reimbursement provided above for approved educational courses:

- A. Full time department members must have completed two continuous years of service in the City before they will be entitled to reimbursement for approved educational courses under this Article.
- B. For reimbursement, a minimum of grade "C" or its equivalent is required to qualify for such reimbursement.
- C. Reimbursement will be paid only at the end of the school quarter or semester upon submission to the satisfaction of the Mayor of the School transcript or other competent evidence that the courses were successfully completed in that particular calendar year.

Section 16: That Ordinance 19-22, the Ordinance fixing the salary, compensation and rates of pay for various offices, boards, commissions and departments of the Municipal Government and all other ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provisions of this Ordinance be and the same are hereby repealed.

Section 17: 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 18: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety for the reason that the functions of the various departments of the municipal government are immediately affected hereby. Wherefore, this Ordinance shall take effect upon passage and approval and the signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law



COME TOGETHER & THRIVE

Memorandum

To: Members of Council
From: Keith Ari Benjamin, Director of Community Services
Date: December 8, 2022
RE: Ordinance 23-22: New Fund for Opioid Settlement Dollars

Ordinance 23-22, pursuant to auditor best practices, establishes a new fund for the deposit of Ohio Opioid Settlement Funds. The fund will allow for future deposits of settlement dollars distributed by the State of Ohio Attorney General's office to Ohio municipalities.

Please don't hesitate to let Finance Director Himmelein know if you have any questions or need additional information.

Thank you.

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 23-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

AN ORDINANCE

AN ORDINANCE ESTABLISHING AND REGULATING THE ONEOHIO OPIOID SETTLEMENT FUND #231; AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code section 5705.09(F) requires "a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose" to be established.

WHEREAS, the City has adopted the OneOhio Memorandum of Understanding ("MOU") which requires the City to allocate and utilize proceeds of any potential settlements in accordance with the MOU.

WHEREAS, according to the "Approved Purposes" definition in the MOU, the funds must be used for "evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers"

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

Section 1: The City Fiscal Officer (Finance Director) be authorized and directed to establish the "OneOhio Opioid Settlement Fund #231" for the deposit, receipt and expenditure of funds received by the City in accordance with the OneOhio MOU.

Section 2: Funds in the OneOhio Opioid Settlement Fund shall be subject to audit by the Auditor of State during the City's next regular audit to determine whether money in the fund has been expended in accordance with the requirements.

Section 3: 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 4: That this Ordinance is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the City and therefore should be adopted at the earliest possible time. Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. 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



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, City Engineer

Date: December 6, 2022

Cc: Mayor Welo, Keith Benjamin, Jim Anderson, Amy Himmelein

RE: PROPOSED LEGISLATION – Request for Additional Funds for the Oakmount Road Infrastructure Improvement Project, Phase 2

1. On behalf of the Mayor and Service Director we request legislation appropriating additional funds and authorizing the Board of Control to approve a change order for payment to the TRAX Construction Company, Inc. for additional work performed in the repair and replacement of storm sewer pipe and related work for the subject project.
2. During the performance of the specified work of point repairs to the storm sewer and storm sewer lateral replacement it was found that the existing storm sewer pipe had defects that were not readily ascertained during plan preparation, resulting in the need for additional pipe replacement Please see the attached summary. Attached are photos of two typical instances where additional pipe was found defective and replaced.
3. As a result of the additional work the pay items for storm sewer repair have increased by a total amount of \$ **153,031.56** from the original contract amount.
4. We also request an additional authorization to increase the Purchase Order for project inspection from \$ 30,960.00 to \$ 47,300.00, an increase of \$ 16,340.00. This increase will cover the additional time that was required to observe the additional storm sewer repairs and provide some additional inspection time for the punch list work to be done in the spring.
5. The total increase in authorized project amount is \$ **169,371.55**
6. All funds for the above requests will come from the Flood Control Fund.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 74-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

A RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "FLOOD CONTROL FUND #426" FOR EXPENDITURES RELATED TO THE OAKMOUNT ROAD INFRASTRUCTURE IMPROVEMENT PROJECT, PHASE 2.

WHEREAS, City Council passed Resolution 50-21 authorizing bids for the 2022 Oakmount Road Infrastructure Project, Phase 2 and Resolution 11-22 appropriating unappropriated funds from the Flood Control Fund #426 for expenditures related to the project; and

WHEREAS, during the performance of the specified work of point repairs to the storm sewer and storm sewer lateral replacement, it was found that the existing storm sewer pipe had defects that were not readily ascertained during plan preparation, resulting in the need for additional pipe replacement, and

WHEREAS, there are funds available in the Flood Control Fund for expenditures not to exceed \$169,371.55 for the subject project.

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

Section 1: That the Council of the City of South Euclid hereby authorizes the Finance Director to appropriate unappropriated funds in the "Flood Control Fund #426" Account in the amount not to exceed \$169,371.55 for the purpose of completing the Oakmount Road Infrastructure Project, Phase 2.

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 _____, 2022.

Ruth I. Gray, 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
OAKMOUNT ROAD INFRASTRUCTURE IMPROVEMENT PROJECT, PHASE 2
CONTRACT PERFORMANCE

BIDDERS				TRAX CONSTRUCTION CO. 38025 SECOND ST., STE. 101 WILLOUGHBY, OHIO 44094				Performed to Date	TOTAL, TO DATE	Variance
#	DESCRIPTION	QNTY.	UNIT	UNIT LABOR PRICE	UNIT MATERIAL COST	UNIT COST	TOTAL ITEM COST			
	UNDERGROUND WORK									
11	ITEM 611: 12" STORM CONDUIT, AS PER PLAN	180.0	LF	\$155.00	\$60.00	\$215.00	\$38,700.00	196.25	\$42,193.75	\$3,493.75
12	ITEM 611: 18" STORM CONDUIT, MAIN LINE REPAIR, AS PER PLAN	112.0	LF	\$222.00	\$126.00	\$348.00	\$38,976.00	263.22	\$91,600.56	\$52,624.56
13	ITEM 611: 24" STORM CONDUIT, MAIN LINE REPAIR, AS PER PLAN	312.0	LF	\$222.00	\$173.00	\$395.00	\$123,240.00	557.35	\$220,153.25	\$96,913.25
CO-2	EXTRA STORM SEWER REPAIR WORK						\$200,916.00		\$353,947.56	\$153,031.56



COME TOGETHER & THRIVE

Memorandum

Date

December 7, 2022

Recipient

City Council

Sender

Michael Love

Title

Planning & Development Director

Department

Planning & Development

Subject

One South Euclid Property
Conveyance Legislation

On the December 12, 2022 City Council Agenda, there is legislation to convey properties to One South Euclid.

This legislation is the standard resolution passed when the City receives property through the tax foreclosure process. The properties are deeded to One South Euclid to market and sell through the Build, Grow, Thrive Residential Resale Program, in accordance with the agreement for professional services in place between the City and One South Euclid.

The properties included in this legislation are vacant lots. Please see below for a brief description of the properties.

PP# 701-40-001 833 King George Blvd.

This lot is the site of a previously demolished home. The property went into tax foreclosure and transferred to the City of South Euclid. This lot is ideal for single family infill home construction or a side lot expansion project.

PP# 703-35-066 1768 Beaconwood Avenue

This lot is the site of a previously demolished home. The property went into tax foreclosure and transferred to the City of South Euclid. This lot is ideal for single family infill home construction or a side lot expansion project.

PP# 704-13-014 0 Warrensville Center Road

This lot is a narrow strip of land between 1907 & 1911 Warrensville Center Road. The property went through tax foreclosure and transferred to the City of South Euclid. The land can be made available to either of those homeowners to purchase for a small expansion to their properties. This is not a buildable lot.

I have included a map showing the location of the properties for your reference.

I ask for your support of this legislation. Please feel free to contact me with any questions.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 75-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

A RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID.

WHEREAS, the City of South Euclid is the owner of certain parcels of vacant land as defined in Exhibit A attached hereto; and

WHEREAS, the subject parcels were deeded to the City of South Euclid through the tax foreclosure process; and

WHEREAS, the Council of the City of South Euclid has, upon study and consideration, determined that said parcels do not serve and are not needed for any municipal purpose; and

WHEREAS, in accordance with the agreement for professional services, the City's Community Development Corporation, One South Euclid, has the ability to dispose of the subject parcels and return the land to productive use.

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

Section 1: That the Council has determined the subject parcels do not serve any municipal purpose.

Section 2: That the Mayor be and she is hereby authorized to convey said parcels of real property (as shown on Exhibit A attached hereto) to the City's Community Development Corporation, One South Euclid, in order to dispose of the properties and return the land to productive use.

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: This Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

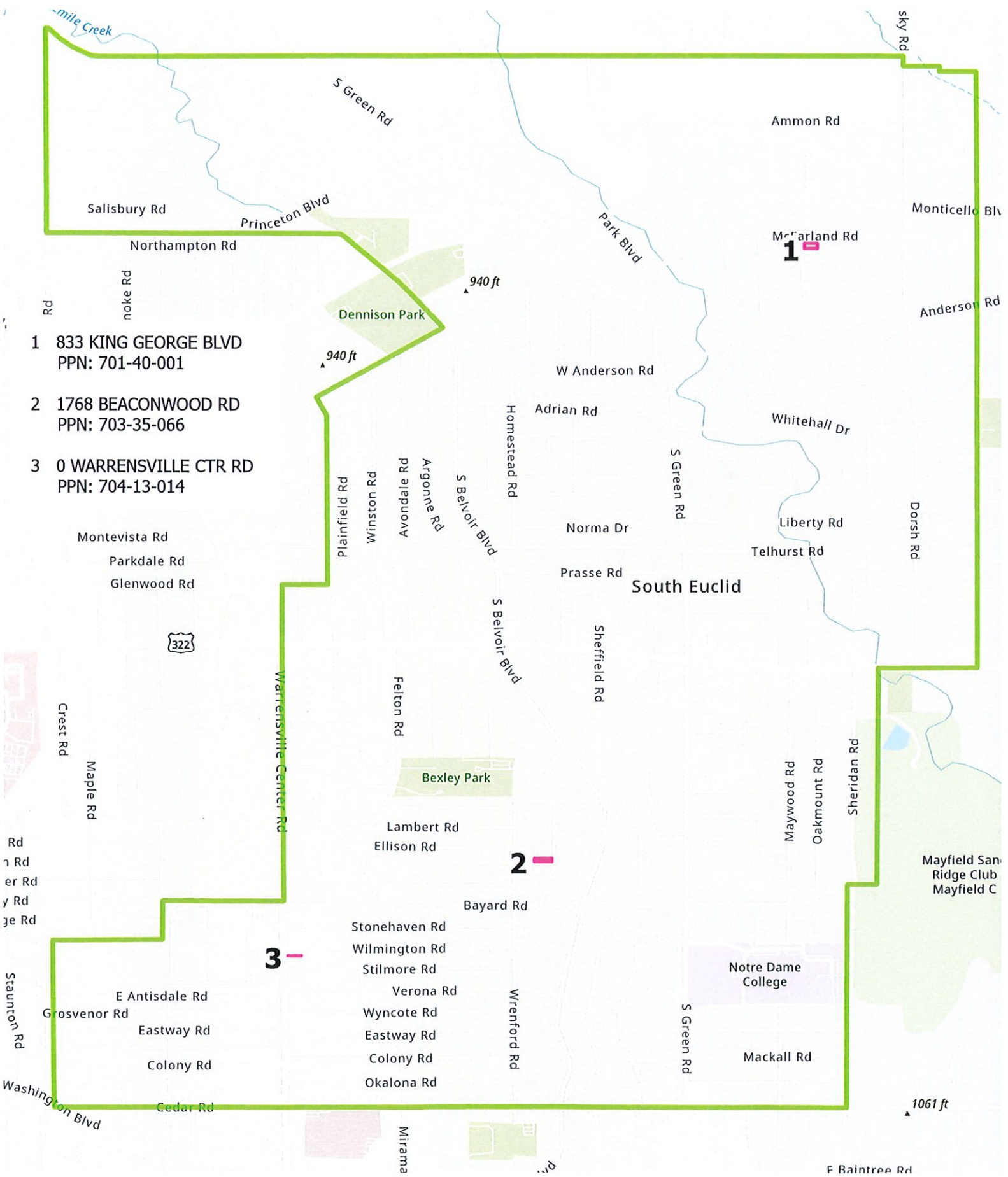
Michael P. Lograsso, Director of Law

EXHIBIT A

Parcel of vacant land to be conveyed to One South Euclid

PP#	Address	Street Name
701-40-001	833	King George Blvd.
703-35-066	1768	Beaconwood Avenue
704-13-014	0	Warrensville Center Road

PARCEL TRANSFER EXHIBIT
 December 12, 2022
 Property Conveyance Legislation



- 1 833 KING GEORGE BLVD
PPN: 701-40-001
- 2 1768 BEACONWOOD RD
PPN: 703-35-066
- 3 0 WARRENSVILLE CTR RD
PPN: 704-13-014



CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 76-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

A RESOLUTION

AUTHORIZING MEMBERS OF CITY COUNCIL, MAYOR AND FINANCE DIRECTOR TO ENTER INTO A SETTLEMENT AGREEMENT WITH THE SOUTH EUCLID MUNICIPAL COURT.

WHEREAS, the City of South Euclid desires to enter into a settlement agreement with the South Euclid Municipal Court regarding litigation filed in the Cuyahoga County Court of Common Pleas in Case No. CV-19-919662, captioned *State of Ohio, ex rel. Judge Gayle Williams-Byers, et al. v. The City of South Euclid, et al.* (the "Litigation").

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

Section 1: That the Council, Mayor and Finance Director are hereby authorized to enter into a settlement agreement with the South Euclid Municipal Court regarding Cuyahoga County Court of Common Pleas in Case No. CV-19-919662, captioned *State of Ohio, ex rel. Judge Gayle Williams-Byers, et al. v. The City of South Euclid, et al.* (the "Litigation").

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: This Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

SETTLEMENT AGREEMENT
AND
FULL AND FINAL MUTUAL RELEASE

This Settlement Agreement and Full and Final Mutual Release (“Agreement”) is entered by and between:

- The South Euclid Municipal Court (“SEMC”), through its Acting Judge, the Honorable Harry E. Field (“Judge Field”);
- The Clerk of the South Euclid Municipal Court (“Clerk”), who is presently Evan Eszirony (“Eszirony”), but at all relevant times was Chardale Sumpter (“Sumpter”)¹;
- The City of South Euclid (“South Euclid”);
- South Euclid City Council Members (collectively, the “Council Members”), which presently include:
 - Joseph Frank (“Frank”)
 - Ruth Gray (“Gray”)
 - Sara Continenza (“Continenza”)
 - Justin Tisdale (“Tisdale”)
 - Susan Hardy (“Hardy”)
 - Chanel Elston (“Elston”)
 - John Fahsbender (“Fahsbender”)But at all relevant times included:
 - Dennis Fiorelli (“Fiorelli”)²
 - Jane Goodman (“Goodman”)³
 - Martin Gelfand (“Gelfand”)⁴
- South Euclid Mayor Georgine Welo (“Welo”); and
- South Euclid Finance Director who is presently Amy Himmelein (“Himmelein”), but at all relevant times was Brenda Wendt (“Wendt”).

Collectively, all of these individuals will be referred to as “the Parties.”

WHEREAS, a dispute arose between the SEMC and the Clerk on the one hand and South Euclid and Wendt on the other with regard to the utilization of and accounting for SEMC/Clerk-controlled funds in the following accounts, including, but not necessarily limited to:

¹ Ms. Sumpter retired in 2021 and was succeeded by Ms. Howard who was succeeded by Mr. Eszirony.

² Council Member-at-Large Fiorelli did not seek re-election at the end of his term in December 2019; he was succeeded by Council Member-at-Large Hardy in January 2020.

³ Council Member Goodman retired at the conclusion of her term in December 2021; she was succeeded by Council Member Fahsbender in January 2022.

⁴ Council Member Gelfand resigned in 2020; he was succeeded by Council Member Elston in July 2020.

- Funds governed by R.C. 1901.26 and 1901.261 (“Court Discretionary Funds”)
 - Clerk of Court Computerization Funds (917-7790-52756⁵/917-8000-48502);
 - Municipal Court Computerization Funds (917-7790-52757/917-8000-48503); and
 - Special Projects Funds (general) (917-7790-52758/917-8000-48504⁶)
 - Special Projects Funds (specific) 917-7790-52324/917-8000-48506 (captioned Court Litigation Trust)

- Funds governed by R.C. 4511.191/2959.094 (“IDAT/IDAM Funds”)
 - Indigent Drivers Interlock and Alcohol Monitoring Funds (917-7790-52759/917-8000-48505); and
 - Indigent Alcohol Treatment Program Funds (917-7790-52788/917-8000-48564)

- Funds governed by R.C. 737.41/2951.021
 - Court Probation Fees Fund (917-7790-52760/917-8000-48507)

- Funds awarded to the SEMC via grants:
 - SEMC OHMAS Funds (917-7790-52750/917-8000-48519⁷)

Collectively, these will be referred to throughout as the “Court’s Funds.”

WHEREAS, that dispute resulted in litigation filed in the Cuyahoga County Court of Common Pleas in Case No. CV-19-919662, captioned *State of Ohio, ex rel. Judge Gayle Williams-Byers, et al. v. The City of South Euclid, et al.* (the “Litigation”).

WHEREAS, the Parties have now agreed to resolve all disputes among and between them related to those claims and causes of action asserted in the Litigation.

WHEREAS, pursuant to Ohio Civ.R.25(D)(1), when a public officer is a party to an action in the public officer’s official capacity and, during its pendency, resigns or otherwise ceases to hold office, the action does not abate and the public officer’s successor is automatically substituted as a party. Official capacity proceedings continue under the name of the substitute official, even in the event any misnomer including the predecessor’s name remains in the action. The Parties agree that all individuals and entities in this action were parties to the Litigation in their official capacities only, with the exceptions of Welo and Wendt, who were also parties in their individual capacities. To that end, those officials who served as the successors for other public officials (Howard for Sumpter; Hardy for Fiorelli; Fahsbender for Goodman; Elston for Gelfand; and Himmelein for Wendt) act on both their behalf and on behalf of their predecessor;

⁵ For a period of time, this fund was captioned “Court Furnishings Fund.”

⁶ For a period of time, this fund was captioned “Court Furnishings Fund.”

⁷ For a period of time, the funds from this source were maintained in other funds besides these.

NOW, THEREFORE, the Parties state:

1. The City of South Euclid agrees to pay the sum of \$85,000.00 to the SEMC within five business days of the full execution of this agreement. Within five business days of this payment, the SEMC will put on a series of Adjusting Orders, transferring funds into its IDIAM (917-8000-48505/917-7790-52759), Court Litigation Trust (917-8000-48506/917-7790-52324) and Court Probation (917-8000-48507/917-7790-52760) said funds being assessed as having negative balances. These Adjusting Orders, and related transfers, will bring each of these accounts either to a zero balance or to a positive balance.
2. Within five business days of the Adjusting Orders set forth in paragraph 1, above, the SEMC will file a Notice of Dismissal, with Prejudice, of the Litigation in the format attached hereto as Exhibit A.
3. Effective upon the payment of the \$85,000 set forth in paragraph 1, above, the SEMC, through Judge Field, and the Clerk, for themselves and their successors, hereby release and forever discharge South Euclid, the Council Members; Welo (in both individual and official capacities); and Himmelein (in both individual and official capacities) and the predecessors and successors of each of them, from any and all claims or causes of action related to the Court's Funds, including, but not limited to, those that were or could have been asserted in the Litigation.
4. For and in exchange for the mutual releases contained herein, South Euclid; the Council Members; Welo (in both individual and official capacities); and Himmelein (in both individual and official capacities), on behalf of themselves and their successors hereby release and forever discharge the SEMC, Judge Field, and the Clerk, and the predecessors and successors of each of them, from any and all claims or causes of action related to the Court's Funds, including, but not limited to, those that were or could have been asserted in the Litigation.
5. The parties shall each be responsible for their own attorney fees and expenses of this Litigation.
6. The undersigned state, warrant, and represent that they have not assigned to any third party any of their claims against one another.
7. The undersigned declare they are competent to enter into this Release and are under no legal disability, and that the terms of this Release have been completely read, are fully understood, and voluntarily accepted for the purpose of making a full and final compromise of all claims and causes of action, known or unknown, between and among the Parties hereto.

8. The undersigned further state that they have had the benefit of counsel in considering the settlement of this dispute and the terms of this Agreement.
9. This Agreement contains the entire agreement between the parties hereto, and the terms of this Release are contractual and not merely recital.
10. This Release shall be governed by the laws of the State of Ohio.
11. This Release may be executed in counterparts.

SOUTH EUCLID MUNICIPAL COURT

WITNESS

By: Harry E. Field,
Its: Acting Judge

WITNESS

DATE

WITNESS

Evan Eszirony, Clerk of the
South Euclid Municipal Court

WITNESS

DATE

THE CITY OF SOUTH EUCLID

WITNESS

By: _____
Georgine Welo, Mayor

WITNESS

DATE

WITNESS

RUTH GRAY, South Euclid
Council President (Ward 1)

WITNESS

DATE

WITNESS

JOSEPH FRANK, South Euclid
Council Member (Ward 2)

WITNESS

DATE

WITNESS

SARA CONTINENZA, South Euclid
Council Member (Ward 3)

WITNESS

DATE

WITNESS

JOHN FAHSBENDER, South Euclid
Council Member (Ward 4)

WITNESS

DATE

WITNESS

JUSTIN TISDALE, South Euclid
Council Member (At-Large)

WITNESS

DATE

WITNESS

SUSAN HARDY, South Euclid

Council Member (At-Large)

WITNESS

DATE

WITNESS

CHANELL ELSTON, South Euclid
Council Member (At-Large)

WITNESS

DATE

WITNESS

GEORGINE WELO, South Euclid Mayor
(In her Individual and Official
Capacities)

WITNESS

DATE

WITNESS

AMY HIMMELEIN, South Euclid
Finance Director (In her Individual and
Official Capacities)

WITNESS

DATE

Approved as to legal form
and correctness:

Approved as to legal form
and correctness:

Michael Lograsso, Director of Law

George D. Jonson, Attorney for
SEMC and Clerk

Fiscal Officer's Certificate

As the fiscal officer of the City of South Euclid, Ohio, I certify that as of the date of execution of the within Settlement Agreement and Full and Final Mutual Release (the "Agreement"), the amount required to satisfy payment under the Agreement has been fully appropriated, or authorized or directed for such purpose, and is in the treasury to the credit of the fund for which it is drawn, or in the process of collection, and not appropriated for any other purpose.

Amy Himmelein, Finance Director

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 77-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

A RESOLUTION

SETTING THE DATE FOR THE FIRST REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2023.

WHEREAS, Section 4 of Article II of the Charter of the City of South Euclid, Ohio directs the Council of the City to prescribe by Ordinance the number of regular meetings of Council per month as well as the time and place of such meetings; and

WHEREAS, Section 111.01 of the Codified Ordinances of the City of South Euclid states that all that regular meetings of Council shall take place on the second and fourth Monday of each month at 8:00 p.m. and may be held and attended by either means of teleconference, video conference, or any other similar electronic technology or in person at a designated location within the City of South Euclid.

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

Section 1: That the date for the first regularly scheduled City Council meeting for the year of 2023 for the City of South Euclid, Ohio, shall be as follows:

Monday, January 9, 2023

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

Section 3: That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and for further reason that a vital function of the municipal government is effected hereby. Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith Ari Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 78-22
INTRODUCED BY: Gray
REQUESTED BY: Mayor

December 12, 2022

A RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIOBIZ, LLC TO CONTINUE PROVIDING WEBSITE DEVELOPMENT, HOSTING AND MAINTENANCE SERVICES IN FISCAL YEAR 2023 FOR THE CITY OF SOUTH EUCLID, OHIO.

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

Section 1: That the Mayor be and she is hereby authorized to enter into an agreement with Ohio Biz, LLC, to continue providing website development, hosting and maintenance services for the year 2023, under the terms and provisions as contained in the agreement, a copy of which is attached hereto and made a part hereof as Exhibit A.

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

Section 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. Such necessity exists by reason of the fact that in order to provide professional computer services to properly develop and maintain the City's Website, the foregoing must be adopted at the earliest possible time. 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 _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

OHIOBIZ LLC CLIENT WEBSITE DEVELOPEMNT/HOSTING/MAINTENANCE AGREEMENT

This Agreement is entered into by and between the City of South Euclid, Ohio (“Client”) and ohiobiz LLC (“Service/Site Maintenance Provider”) on this _____ day of _____, 202_.

1. Scope of Work. Upon determination of Client’s specific needs for the Website re-development/hosting/content maintenance services of Internet sites, cityofsoutheuclid.com, seuclid.com, seuclidfire.com and southeuclidpolice.com, on the World Wide Web (“Website”), Service/Site Maintenance provider shall prepare a project proposal (“Proposal”) for Client’s acceptance, which Proposal is attached hereto as Exhibit A and incorporated herein by reference. Each phase of the work as set forth in the Proposal (the “Work”) shall be presented to the Client for its review and acceptance. Service/Site Maintenance Provider reserves the right to modify or reject any files, copy or artwork deemed objectionable or unsuitable. The term of this agreement is for a period of one (1) year.

2. Enhancements. If Client wishes to modify the Websites either prior or subsequent to delivery and acceptance of the fully implemented developed Web Site, it may request that Service/Site Maintenance Provider provide a quote to provide such Enhancements. “Enhancements” shall include any improvements to the Web Site to implement new features or to add new materials, or any modifications to the Web Site in order for it to operate on the hardware and software system (“Server System”) of a new Internet service provider (“ISP”).

3. Costs; Payment. The costs and payment terms for such work are set forth in the attached Proposal and are based on certain assumptions contained therein. Changes or inaccuracies in these assumptions may affect the cost of Work outlined in the Proposal. Any such changes warranting a revised cost estimate shall be promptly communicated to Client for approval. Payment for any website development and maintenance services shall be in the amount and manner set forth in the Proposal.

Service/Site Maintenance Provider will invoice Client on a monthly basis for actual work performed, not to exceed the amounts set forth in the Proposal, plus any Enhancements or other changes to the Proposal as approved by Client. Said invoices shall be payable upon receipt of the date billed. Any unpaid balance after (30) days after the date billed will incur a two percent (2%) late charge per month. Any unpaid balance after forty-five (45) days from the invoice date will result in the automatic termination of this Agreement and removal of Client’s materials from Service/Site Maintenance Provider’s Internet server system. Any unpaid balance after one hundred-twenty (120) days after date billed will be sent to collection and Client may be responsible for charges arising from this action. Payment for any maintenance services shall be in the amount and manner set forth in the Proposal.

4. Website Warranty. Service/Site Maintenance Provider represents and warrants that the Website: (a) will be of high quality and free of defects in material and workmanship in all material respects; and (b) will conform to the functional and other descriptions contained in the Proposal. For a period of sixty (60) days after the date of acceptance of the fully implemented Website by Client (“the Warranty Period”), Service/Site Maintenance Provider agrees to fix at its

own expense any Errors found in the Websites. "Errors" shall be defined as the failure of the Website to meet the specifications set forth in the Proposal. EXCEPT AS SET FORTH ABOVE, SERVICE/SITE MAINTENANCE PROVIDER DISCLAIMS ALL IMPLIED WARRANTIES, INCLUDING WITHOUT LIMITATION, THE WARRANTIES OF MERCHANTABILITY, NON-INFRINGEMENT OF THIRD PARTY RIGHTS, AND FITNESS FOR A PARTICULAR PURPOSE.

5. Proprietary Rights. (a) *Client's Ownership Rights.* The Client's Domain Name(s) and the Website design, i.e., the "look and feel" of the Website, are the property of the Client. Additionally, any content provided by the Client for inclusion on the Website shall remain the property of the Client ("Client Content").

(b) *License to Web Site Content; Copy of Work.* Client grants Service/Site Maintenance Provider a non-exclusive, worldwide license to reproduce and modify the Website Content in order to enhance and/or maintain the Website. Service/Site Maintenance Provider shall have the right to retain a copy of the Work developed under this Agreement.

(c) *Additional Licenses.* Client shall be responsible for obtaining and paying for any necessary licenses to use third-party content/plugin provided by it to Service/Site Maintenance Provider for inclusion on its Website. Any other licenses required for content or software shall be obtained as agreed upon by the parties pursuant to the attached Proposal or any subsequent written agreements.

This Section 5 survives the termination of this Agreement.

6. Confidentiality. The terms of this Agreement, and technical and marketing plans or other sensitive business information, including all materials containing said information, which are supplied by Client to Service/Site Maintenance Provider or developed by Service/Site Maintenance Provider in the course of maintaining the Website are the confidential information ("Confidential Information") of Client. Service/Site Maintenance Provider agrees that except as authorized in writing by Client: (a) Service/Site Maintenance Provider will not disclose to any third party, the existence, content or substance of the Confidential Information; and (b) Service/Site Maintenance Provider will not use Confidential Information in any way other than to maintain the content of the Web Site as provided in this Agreement.

Information shall not be considered to be Confidential Information if Service/Site Maintenance Provider can demonstrate that it: (a) is already or otherwise becomes publicly known through no act of Service/Site Maintenance Provider; (b) is lawfully received from third parties subject to no restriction of confidentiality; (c) can be shown by Service/Site Maintenance Provider to have been independently developed by it without use of the Confidential Information; or (d) is authorized in writing by Client to be disclosed, copied or used.

7. Indemnification. Service/Site Maintenance Provider agrees to defend, indemnify and hold harmless Client and its directors, officers and employees from and against all claims, defense costs, judgments and other expenses arising out of claims for any use of confidential or proprietary information or trade secrets Service/Site Maintenance Provider has obtained from sources other than Client.

Client agrees to defend, indemnify and hold harmless Service/Site Maintenance Provider and its directors, officers and employees from and against all claims, defense costs, judgments and other expenses arising out of claims that: (a) the performance of the Agreement and of Client's obligations hereunder breaches any separate agreement by which Client is bound; and (b) the use, public display, reproduction, distribution or modification of the Website Content violates the rights of any third parties.

8. Termination. Either party shall have the right to terminate this Agreement upon thirty (30) days notice by giving written notice of termination to the other party. Upon termination, Service/Site Maintenance Provider shall cease all work on the Website and Client shall be responsible for payment of all Work completed at the time of termination.

9. Notices. Any notices or communications required or permitted under this Agreement shall be in writing and mailed, delivered or sent by email to the parties at their addresses set forth below.

If to Service/Site Maintenance Provider:

If to Client:

ohiobiz LLC
1035 Argonne Road
South Euclid, Ohio 44121-2912
Attn: Mark J. Geyman, Owner
Phone: (440) 940-6249

Attn: _____
Phone: _____
Email: _____

10. Governing Law; Venue. This Agreement shall be governed by the laws of the State of Ohio, and all claims and/or lawsuits in connection with this Agreement must be brought in the federal or state court located in Cuyahoga County, Ohio.

In witness whereof, this Agreement is executed as of the date first set forth above.

CLIENT:

SERVICE/SITE MAINTENANCE PROVIDER:

ohiobiz LLC

By: _____
Its: _____

Title

By: _____
Its: _____

Title

Scope of Work – Proposal

See attached.