

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, JULY 18, 2022 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER**

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS:

- ORBCC PRODUCTION LLC, 1261 BABBITT RD, EUCLID, 44132

COUNCIL MINUTES:

- JUNE 6, 2022
- JUNE 21, 2022

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Euclid Avenue Revitalization Committee: May 25, 2022
- Board of Control dated: June 13, 2022; June 21, 2022; June 27, 2022 and July 7, 2022
- Council Work Session: June 21, 2022

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

ACTION	LEGISLATION	PROPOSED
1.	An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for demolition, including the costs of asbestos assessment, abatement and monitoring of properties as provided in Chapter 1753 of the Codified Ordinances of the City of Euclid. (Sponsored by Mayor Holzheimer Gail) Comment: This will allow for the assessment for asbestos assessment, abatement and demolition.	Ord. (079-22)
2.	An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for criminal nuisance abatement as provided in Chapter 529 of the Codified Ordinances of the City of Euclid. (Sponsored by Mayor Holzheimer Gail) Comment: This will allow the assessment for criminal nuisance.	Ord. (080-22)
3.	An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for the construction of stairs for the Luikart Drive Association (“LDA”) in association with the Waterfront Improvement Project being constructed by the City of Euclid. (Sponsored by Mayor Holzheimer Gail) Comment: This will allow for the assessment per an agreement due to the Waterfront Improvement Program.	Ord. (081-22)
4.	An emergency ordinance authorizing the sale of Permanent Parcel Number 646-31-013, vacant land at 21317 Euclid Avenue, from the Euclid Land Bank, to Pamela Smith for the amount of One Thousand Dollars	Ord. (082-22)

(\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011.
(Sponsored by Planning and Zoning)

Comment: This will approve a land bank sale.

5. An emergency ordinance authorizing the sale of Permanent Parcel Number 641-20-044, vacant land at 20330 Naumann Avenue, from the Euclid Land Bank, to Nerissa Suttles and Dionta Hillman for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning and Zoning) Ord. (083-22)

Comment: This will approve a land bank sale.

CEREMONIAL RESOLUTION

A resolution to honor and recognize the life of **Councilwoman Stephana Childs-Caviness** and her many contributions to the City of Euclid. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (084-22)

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

Ordinance No.

By Mayor Holzheimer Gail

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for demolition, including the costs of asbestos assessment, abatement and monitoring of properties as provided in Chapter 1753 of the Codified Ordinances of the City of Euclid.

WHEREAS, Chapter 1753 of the Codified Ordinances of the City of Euclid requires the owner of a property to incur the costs of demolition of a structure; and,

WHEREAS, Section 1753.08 of the Codified Ordinances of the City of Euclid authorizes the Commissioner or Buildings and/or Housing Manger to certify to the Cuyahoga County Fiscal Office the cost of demolition if the expenses and cost of demolition are not paid by the owner of the premises; and,

WHEREAS, The City did give notice to various property owners setting forth the nature of the nuisance of their property, the City's intent to condemn and/or demolish the property, appeal rights, a reasonable time determined by the Housing Manager or certified Building Official within which the owner shall rehabilitate or demolish the premises, and the statement that unless the nuisance is abated within the stated time it may be abated by the City and the cost of demolition assessed on the real estate involved; and,

WHEREAS, As said property owners failed to abate the nuisances on their respective properties and failed to compensate the City for the costs incurred in the demolition of their structures, the properties shall be assessed on the tax duplicate for the city's cost of demolition, asbestos assessment, abatement and monitoring; and,

WHEREAS, The subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and for the daily operation of a municipal department, and to meet the deadline of Cuyahoga County Fiscal Office.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the assessment of the cost and expense of demolition, asbestos assessment, abatement and monitoring, under Chapter 1753 of the Codified Ordinances of the City of Euclid, be as follows:

<u>Address</u>	<u>Permanent Parcel No.</u>	<u>Amount</u>
24800 Euclid Avenue	648-56-001	\$323,510.00

As found by this Council, notice of the intended filing of assessments has been given as required by Chapter 1753, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

Section 2. That the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Cuyahoga County Fiscal Office who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees 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 hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By - Mayor Holzheimer Gail

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for criminal nuisance abatement as provided in Chapter 529 of the Codified Ordinances of the City of Euclid.

WHEREAS, Section 529.07 of the Codified Ordinances of the City of Euclid provides that certain activities occurring in the City of Euclid on any residential or commercial property, and engaged in by an owner, occupant, or invitee of the owner, occupant or person in charge of any commercial or residential property, are public nuisances; and

WHEREAS, The Housing Manager or certified Building Official, upon finding that two or more nuisance activities, or one felony drug activity have occurred within any twelve month period, caused written notice to be served on the owner of the property declaring that such property is a nuisance property; and

WHEREAS, The City did give notice to the property owner that if additional nuisance activity occurs, the City may abate the nuisance by responding to the activity using administrative and law enforcement actions, and the costs of such abatement, \$250 per instance and on an increasing scale for each additional nuisance, shall be assessed on the nuisance property; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and for the daily operation of a municipal department, and to meet the deadline of Cuyahoga County Fiscal Office.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the assessment of the cost and expense of nuisance abatement under Chapter 529 of the Codified Ordinances of the City of Euclid, be as follows:

<u>Address</u>	<u>Permanent Parcel No.</u>	<u>Amount</u>
1448 E 221	646-34-021	\$250
26475 Aaron	645-36-070	\$250
26191 Euclid	648-23-017	\$750

As found by this Council, notice of the intended filing of assessments has been given as required by Chapter 529, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees 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 the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Cuyahoga County Fiscal Office who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance to certify as a lien on the Cuyahoga County tax duplicate the assessments for the construction of stairs for the Luikart Drive Association ("LDA") in association with the Waterfront Improvement Project being constructed by the City of Euclid.

WHEREAS, the City of Euclid is developing shoreline protection with public improvements including public access with multi-purpose trail called the Waterfront Improvements Plan; and

WHEREAS, pursuant to a Deed and Grant of Easement entered into between the Luikart Drive Association and the City of Euclid on November 21, 2017, the LDA is responsible for thirty five thousand dollars (\$35,000.00) of access improvements to be paid in assessments on the individual parcels in the LDA over a period of three (3) years; and,

WHEREAS, similar assessments were presented to Euclid City Council by ordinance in 2020 and 2021 and this is the final year of assessments; and

WHEREAS, the City of Euclid mailed invoices to 19 property owners in the LDA for their share of the costs of the improvements which was \$614.00; and

WHEREAS, those listed below did not pay the invoice prior to the deadline and the amount will be assessed on the tax duplicate for year 2022 for collection in 2023.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the assessment of the cost and expense of stairs for the Luikart Drive Association ("LDA") in association with the Waterfront Improvement Project being constructed by the City of Euclid, be as follows:

PPN	Address	Amount
644-04-022	120 Luikart Drive	\$614.00
644-04-024	111 Luikart Drive	\$614.00

As found by this Council, notice of the intended filing of assessments has been given as required by Chapter 529.03, be and the same is hereby adopted and confirmed, and that there be and there is hereby levied and assessed upon the lots and lands attached hereto the several amounts reported as aforesaid, which assessments together with the descriptions of said lots and lands are now on file in the office of the Clerk of Council, and which assessments are in proportion to the special benefits to said property and are not in excess of any statutory limitations.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees 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 the Clerk of Council is hereby authorized and directed to cause a copy of this Ordinance to be served upon the Auditor of Cuyahoga County, Ohio, who shall place the same upon the tax duplicate of said County, to be collected in the same manner as other taxes and assessments, together with all lawful interest and penalties, pursuant to the Ohio Revised Code.

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel Number 646-31-013, vacant land at 21317 Euclid Avenue, from the Euclid Land Bank, to Pamela Smith for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010, and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank for private use; and

WHEREAS, at its meeting on June 14, 2022, the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 646-31-013, vacant land, from the Euclid Land Bank, to Pamela Smith for the amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, Pamela Smith owns the adjacent property, Permanent Parcel Number 646-31-014, and desires to purchase the 646-31-013 parcel for property expansion; and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; and

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the sale of Permanent Parcel Number 646-31-013, vacant land at 21317 Euclid Avenue, from the Euclid Land Bank to Pamela Smith for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011 is hereby approved.

Section 2: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees 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 hereby declared to be an emergency measure necessary for the preservation of the public peace, safety, and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from after its passage and approval; otherwise, to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An emergency ordinance authorizing the sale of Permanent Parcel Number 641-20-044, vacant land at 20330 Naumann Avenue, from the Euclid Land Bank, to Nerissa Suttles and Dionta Hillman for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011.

WHEREAS, Ordinance 98-2010, passed by Council on June 21, 2010, and amended by Ordinance 101-2011 on June 20, 2011, authorizes the sale of properties in the Euclid Land Bank for private use; and

WHEREAS, at its meeting on June 14, 2022, the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 641-20-044, vacant land, from the Euclid Land Bank, to Nerissa Suttles and Dionta Hillman for the amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, Nerissa Suttles and Dionta Hillman own the adjacent property, Permanent Parcel Number 641-20-045, and desires to purchase the 641-20-044 parcel for property expansion; and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies, in approving the sales price the Planning and Zoning Commission concurred with the pricing policies adopted in Ordinance 101-2011, which warrant a price below the Cuyahoga County Auditor's market value; and

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the sale of Permanent Parcel Number 641-20-044, vacant land at 20330 Naumann Avenue, from the Euclid Land Bank to Nerissa Suttles and Dionta Hillman for the amount of One Thousand Dollars (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011 is hereby approved.

Section 2: That City Council approves the sales price adjustment below the Cuyahoga County Auditor's market value due to area market conditions and based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101-2011.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees 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 hereby declared to be an emergency measure necessary for the preservation of the public peace, safety, and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from after its passage and approval; otherwise, to be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

RESOLUTION OF HONOR AND RECOGNITION

A resolution to honor and recognize the life of **Councilwoman Stephana Childs-Caviness** and her many contributions to the City of Euclid.

WHEREAS, **Stephana** was the cherished mother of Theophilus "Chip" Caviness Jr. (Denise), Stephen Caviness (Daniella), and Theana "Lana" Caviness. She was the adoring grandmother of Theophilus "TJ" Caviness, Angelo Caviness, Ethan Caviness, and Stella Caviness; and

WHEREAS, **Stephana** was a devoted member of The Greater Abyssinia Baptist Church. She served as a Deaconess, A/V tech and was co-founder of Praise Warriors dance group. **Stephana's** faith was central in her life and she actively supported Euclid's Faith in the City organization and many community-based events and activities; and

WHEREAS, **Stephana** always worked for justice and democratic values in all that she did. She was first appointed to fill the vacant Ward 1 City Council position in 2012 and was elected 3 times. **Stephana** was the Chair of the Public Safety Committee where she focused on safety and justice, supporting hiring officers, advancing community policing and updating technology. She was a strong advocate for investment and improvements to the Euclid Avenue corridor and south side of Euclid. **Stephana** led the way to a new Splash Park in Indian Hills, reconstruction of the Grand Boulevard Wall and the creation of the Green Creek Trail to name just a few projects; and

WHEREAS, **Stephana** will be remembered most for her passionate commitment and service to the City of Euclid. She was always available to her residents. Euclid is definitely a better place due to **Stephana's** involvement and hard work. We will all miss **Stephana's** friendship, smile, willingness to help, positive outlook and commitment to service and justice.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, State of Ohio:

Section 1: That this Council and Administration do hereby honor and recognize the life of **Councilwoman Stephana-Childs Caviness** and her many contributions to the City of Euclid.

Section 4: That this resolution shall take immediate effect.

Resolution No.

By – Mayor Holzheimer Gail, Councilpersons
Mancuso, Epps, Jarosz, Jukic,
McIntosh, Steele, Tolton, Wojtila

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor