

**AGENDA  
EUCLID CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 19, 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:**

- Club 17 Ultra – 26010 Euclid Ave, Euclid, Oh. 44132

**COUNCIL MINUTES:**

**ADMINISTRATION REPORTS & COMMUNICATIONS:**

**COMMITTEE DOCUMENTATION:**

- Board of Control Minutes – 8/29/2022, 9/6/2022, 9/12/2022

**COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY**

**LEGISLATION**

<b>ACTION</b>		<b>PROPOSED</b>
	<p>1. A resolution to adopt the 2022-2027 Cuyahoga County All-Hazards Mitigation Plan (AHMP) to continue the City of Euclid’s eligibility to apply for federal mitigation programs. (Sponsored by Council President Mancuso by request of the Fire Chief)</p> <p><b>Comment: This would approve a 5 year Cuyahoga County All-Hazards Mitigation Plan (AHMP).</b></p>	<p>Res. (106-22)</p>
	<p>2. A resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission. (Sponsored by Mayor Holzheimer Gail and All Members of Council)</p> <p><b>Comment: This would approve the rate of each tax assessed.</b></p>	<p>Res. (107-22)</p>
	<p>3. An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98<sup>th</sup> Street, Garfield Heights, Ohio 44125, for the preparation a Comprehensive Annual Financial Report for the City of Euclid for the years 2022 through 2026. (Sponsored by Council President Mancuso by request of the Director of Finance)</p> <p><b>Comment: This would approve and agreement with Zupka for annual CAFR preparation for years 2022-2026.</b></p>	<p>Ord. (109-22)</p>
<b>Second Reading</b>	<p>4. An ordinance amending Ordinance No. 157-2012, that established sewer rental and other related charges and authorized sewer service agreements, to reflect new sewer usage rates. (Sponsored by Councilperson Wojtila by request of the Director of Public Service)</p> <p><b>Comment: This would amend sewer rates for 2023.</b></p>	<p>Ord. (103-22)</p>

5. An ordinance authorizing the Mayor or her designee to enter into an agreement with CHN Housing Partners (2999 Payne Avenue, 3<sup>rd</sup> Floor, Cleveland, Ohio 44114) for the provision of the Heritage Park Home Repair Grant Pilot Program. (Sponsored by Mayor Holzheimer Gail and Councilperson Tanner) Ord. (108-22)

**Comment: This would approve an agreement with CHN Housing Partners for the provision of the Heritage Park Home Repair Grant Pilot Program.**

6. A resolution declaring it necessary and determining to proceed with acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the City of Euclid, included within the Lake County Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto. (Sponsored by Mayor Holzheimer Gail) Res. (110-22)

**Comment: This is an ordinance of necessity for the construction of shoreline improvements for erosion control.**

7. An ordinance levying special assessments for acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the city included within the Lake County Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto, and declaring an emergency. (Sponsored by Mayor Holzheimer Gail) Ord. (111-22)

**Comment: This approves the assessments of those properties which had to engage in shoreline improvements for erosion control.**

8. A resolution creating an Ad Hoc Work Group consisting of at least three (3) Councilpersons to meet as necessary to discuss and make a recommendation to Euclid City Council regarding the necessity of taking and keeping verbatim minutes at regular and special council meetings. (Sponsored by Councilperson Jukic) Res. (112-22)

**Comment: This would create an Ad Hoc Work Group to discuss and decide the future of verbatim minutes.**

#### CEREMONIAL RESOLUTION

- A resolution of congratulations to the Director of Euclid Public Library, **Kacie V. Armstrong**, for being named Ohio Library Council's 2022 Librarian of the Year. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (105-22)

#### COMMITTEE OF THE WHOLE – PUBLIC PORTION

#### COUNCIL MEMBERS' COMMENTS

#### ADJOURNMENT

Resolution No.

Sponsored by Councilperson Mancuso (by request)

A resolution to adopt the 2022-2027 Cuyahoga County All-Hazards Mitigation Plan (AHMP) to continue the City of Euclid's eligibility to apply for federal mitigation programs.

WHEREAS, the City of Euclid, Cuyahoga County, Ohio is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety; and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the City of Euclid acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Cuyahoga County 2022-2027 All-Hazards Mitigation Plan has been developed by the Cuyahoga County Office of Emergency Management in cooperation with other county departments, and officials and citizens of the City of Euclid, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan, and

WHEREAS, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural hazards that face the County and its municipal governments,

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

Section 1. The Cuyahoga County 2022-2027 All-Hazards Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Euclid.

Section 2. The respective officials and agencies identified in the implementation strategy of the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

Section 3. That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to Mark Christie, Emergency Management Specialist, Cuyahoga County Office of Emergency Management, Department of Public Safety and Justice Services, 9300 Quincy Avenue, Floor 2, Cleveland, OH 44106.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution 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 5: That this resolution shall take immediate effect.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

Resolution No.

By – Mayor Holzheimer Gail and All Members of Council

A resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission.

WHEREAS, this Council, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2023, and thereon to the Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation; therefore be it

RESOLVED, by the Council of City of Euclid, Cuyahoga County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted, and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR’S ESTIMATED TAX RATES

FUND OUTSIDE 10 MILL LIMIT	County Auditor’s Estimate of Tax Rate to be Levied	
	INSIDE 10	MILL LIMIT
Bond Retirement	3.88	
General		6.72
Permanent Improvement		1.00
Recreation		1.30
Recreation Capital		.70
Sub Total	3.88	9.72
TOTAL		13.60

And be it further RESOLVED, that the Clerk of Council be and he is hereby directed to certify a copy of this resolution to the County Fiscal Officer of said County.

That it is found and determined, that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

That this resolution shall go into immediate effect.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Council President Mancuso (by request)

An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98<sup>th</sup> Street, Garfield Heights, Ohio 44125, for the preparation a Comprehensive Annual Financial Report for the City of Euclid for the years 2022 through 2026.

WHEREAS, the firm of James G. Zupka has provided services to the City to prepare the Financial Report of the City's financial condition since 2006. A copy of the letter of engagement is on file with the Clerk of Council.

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

Section 1: That the Director of Finance is hereby authorized to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98<sup>th</sup> Street, Garfield Heights, Ohio 44125, for the preparation of a Comprehensive Annual Financial Report of the City's financial condition for the years 2022 through 2026, in the following amounts: 2022 -\$24,360.00; 2023 and 2026 - \$22,880.00.

Section 2: Funds to pay for this expenditure are to be derived from the General Fund, CDBG Fund, Bond Retirement Fund and Wastewater Fund.

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 it passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Attest:

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Clerk of Council

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President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By- Councilperson Wojtila (by request)

An ordinance amending Ordinance No. 157-2012, that established sewer rental and other related charges and authorized sewer service agreements, to reflect new sewer usage rates.

WHEREAS, Ordinance 112-2000 established sewer rental rates and other related charges from and after April 1, 2000 and authorized sewer service agreements; and

WHEREAS, supplemental rates were established by Ordinances 32-2012 and then 157-2012 to supply funds to begin engineering and design for the construction of improvements and operation of the Wastewater Treatment facility and collection system as required by the Long Term Control Plan and other plans contained in the consent decree with the United States and State of Ohio; and

WHEREAS, after review of the annual Rate Study Report from B. Fink Consulting, it is determined that the sewer rate charge for 2023 will need to be adjusted above the rate for the 2012 ordinance; and

WHEREAS, the rate change will become effective with consumption on and after January 1, 2023.

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

**Section 1:** That Section 1 "Euclid Users, Household Waste Sewer Service Charges" of Ordinance No. 157-2012, which established sewer rental and other related charges from and after April 1, 2012 and authorized sewer service agreements, is hereby amended and replaced to read as follows:

That there are hereby established rates and charges of rental from and after **January 1, 2023**, to be paid to the City of Euclid for the use of the system of sewerage or sewage treatment or disposal works by every person, firm or corporation whose premises in the City of Euclid are served by a connection with the system of sewerage of the City of Euclid, which charge of rent shall be in addition to the revenue received from general taxes for sewer maintenance.

Every person, firm, or corporation having premises in the City of Euclid served by a connection with the present system of sewerage in the City of Euclid, whereby the sewage or industrial wastes are disposed of by the City of Euclid, either through the facilities of the sewage treatment and sewage disposal works of the City of Euclid, or as otherwise arranged by the City of Euclid, hereinafter referred to as "Euclid Customers" shall pay a sewer rental charge for the collection and treatment of ordinary household waste ("OW"), based upon the quantity of meter water used in or upon such premises for each 1,000 cubic feet of water or less measured through any one water meter as set forth in **TABLE A**, whether such water is derived from a source other than the City water supply or all or any part of such water is furnished to said premises without charge. Billings shall be at least quarterly and shall include an additional administrative charge for the cost of meter reading and billing.

The sewer rental charge established herein from and after **January 1, 2023**, shall be payable quarterly with the regular water bill received by such person, firm, or corporation at the office of the Division of Water and Heat, in the Department of Public Utilities of the City of Cleveland and shall be **not less than one (1) thousand cubic feet per quarter**, plus the pro rata administration cost for paying meter reading and billing charges as determined by the Mayor, and shall be payable at the same time as water bills are payable in the district in which the property is located and the sewer rental charge may be shown as a separate item on the same paper which shows the water bill as the City of Cleveland Director of Public Utilities may elect; and out of the proceeds collected the City of Cleveland shall be authorized to withhold an amount as justified to the City of Euclid for collection expenses.

In addition to the rates contained herein, and by separate legislation adopted by the Council of the City of Euclid, the rate billed shall include incremental amounts for the repair and replacement of the local sewer collection system within the City of Euclid, known as the Peterson Fund, and for incremental amounts necessary for street resurfacing and repair of streets and appurtenances in connection with waterline replacement and repair within the City of Euclid, known as the Waterline Fund.

**Section 2:** That "Outside Users, Ordinary Household Waste Sewer Service Charges and Contracts" of Ordinance No. 157-2012, which established sewer rental and other related charges from and after April 1, 2012 and authorized sewer service agreements, is hereby amended and replaced to read as follows:

(a) That the Mayor is hereby authorized to contract for or otherwise charge and collect the following rates hereby established as sewer rental charges from and after **January 1, 2023**, to be paid to the City of Euclid for the use of the system of sewerage or sewage treatment or disposal works by every person, firm, or corporation whose premises lies outside the limits of the City of Euclid which are served by a connection with the system of sewerage in the City of Euclid, hereinafter referred to as "Outside Users," which charge shall be as set forth in **TABLE A TABLE B, C, D** for the identified Outside User Communities.

(b) In addition, the Mayor is hereby authorized and directed to contract for or otherwise charge and collect from said Outside Users for disposal of sewage, all administration charges as determined by the Mayor, specifically attributable for meter reading, billing, maintenance, and transportation to any particular outside user or the maintenance of the account therefore. All monies received pursuant to this section shall be deposited, applied, and utilized the same as specified in Section 1 of this ordinance.

(c) Provided further, however, that from and after **January 1, 2023**, the terms of contracts heretofore specifically authorized by Council shall be given full force and effect except to the extent that the rates charged therein were inadequate and modified by ordinance to meet the rise of costs for necessary operation, maintenance, replacement, capital improvements, and operating capital respecting the sewage treatment or disposal works. The Mayor is hereby empowered to establish charges reflecting credits for lump sum account payments made pursuant to rate dispute settlements, if any, under such contracts and charges equivalent to incremental charges stated on a basis of water consumption in terms of sewage metered on the basis of 1000 gallon units or otherwise in accordance with past billing procedures or where otherwise determined necessary.

(d) Such contracts with Outside Users shall limit the quality and quantity of the sewage flow to be accepted to that of ordinary household waste in such daily volumes as shall not exceed in the aggregate, including sewage flow from Euclid users, the capacity of the waste water treatment facilities or the capacity of sewer lines within the City of Euclid as determined by the Director. The Director shall give deference and preference to the communities having long standing and continuing arrangements and contracts with the City of Euclid and the volumes historically received therefrom.

(e) No industrial waste shall be accepted from any outside community except pursuant to individual industrial user permits to be applied for by the actual industrial user and issued directly by the City of Euclid pursuant to Chapter 923 of the Codified Ordinances.

(f) SATELLITE SEWER DISCHARGE CONTROL PROGRAM ("SSDCP"). The Mayor is hereby authorized to contract and amend contracts with Outside User Communities as necessary to implement the SSDCP mandated by the City's NPDES Permit issued effective April 1, 1996, requiring monitoring, reporting, and operation under the supervision of a State Certified Operator's License for each Outside User Community collection system and authority to require that the maintenance crews of each outside user community will either include supervision by a properly licensed staff person to implement the community discharge permit regulations or will submit to supervision for these purposes to properly licensed staff personnel of the City of Euclid and pay the cost therefore as determined by the Mayor.

**Section 3:** That Ordinance No. 157-2012, that established sewer rental and other related charges and authorized sewer service agreements, to reflect new sewer usage rates is hereby amended.

**Section 4:** 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 5:** That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

Effective:

\_\_\_\_\_  
Mayor

Ordinance No.

By: Mayor Holzheimer Gail and Councilperson Tanner

An ordinance authorizing the Mayor or her designee to enter into an agreement with CHN Housing Partners (2999 Payne Avenue, 3<sup>rd</sup> Floor, Cleveland, Ohio 44114) for the provision of the Heritage Park Home Repair Grant Pilot Program.

WHEREAS, in Resolution 68-2022 the Administration was authorized to apply for \$200,000.00 from Cuyahoga County's American Rescue Plan Act (ARPA) to create the Heritage Home Repair Pilot Grant Program, matching an award with \$100,000.00 from the City of Euclid's ARPA funds; and

WHEREAS, the City of Euclid was awarded the \$200,000.00 by the Cuyahoga County Council in Resolution R2022-0204 passed on August 2, 2022; and

WHEREAS, CHN Housing Partners ("CHP") is a not-for-profit organization that has significant experience in administering home repair programs in Cuyahoga County, Ohio; and

WHEREAS, the City of Euclid seeks to utilize CHN Housing Partners' experience in effectively managing home repair programs to administer the City's Heritage Park Home Repair Grant Pilot Program.

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

Section 1: That the Mayor or her designee is hereby authorized to enter into an agreement with CHN Housing Partners (2999 Payne Avenue, 3<sup>rd</sup> Floor, Cleveland, Ohio 44114) for the provision of the Heritage Park Home Repair Grant Pilot Program.

Section 2: That all agreement(s) shall be in a form approved by the Director of Law.

Section 3: That funds to pay for this expenditure are not to exceed \$300,000.00 with \$200,000.00 to be derived from the County ARPA funds award in the Other Grants fund and \$100,000.00 to be derived from the City's ARPA funds.

Section 4: 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 5: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

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Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

Effective:

\_\_\_\_\_  
Mayor

Resolution No.

By: Mayor Holzheimer Gail

A resolution declaring it necessary and determining to proceed with acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the City of Euclid, included within the Lake County Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto.

WHEREAS, property owners within the City petitioned Council to form a Shoreline Special Improvement District to provide assistance in abating erosion along the shoreline of Lake Erie, and Euclid City Council approved such petitions under Ordinance 94-2020 in Fall 2020 and joined in the formation of the Lake County Communities Shoreline Special Improvement District, Inc. (the SID), incorporated in Spring 2021; and

WHEREAS, property owners within the SID have submitted special assessment improvement petitions to this Council in accordance with the Improvement Plan implemented by the SID requesting that erosion abatement improvements proceed on their properties and that the City levy special assessments upon their properties for the costs of those erosion abatement improvements pursuant to Chapters 727 and 1710 of the Revised Code.

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

Section 1: It is hereby declared necessary to improve in the City of Euclid the properties listed on Attachment A hereto and incorporated by reference hereby (collectively, the "Assessment Properties") by acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion, together with all necessary appurtenances thereto (the "Improvements"). It is hereby further determined to proceed with the Improvements as described herein.

Section 2: The plans, specifications and profiles of the Improvements and the estimates of cost of the Improvements as set forth in the Improvement Petitions filed by the owners of the Assessment Properties to be improved and assessed and now on file in the office of the Clerk of this Council, are adopted and approved. It is hereby determined to proceed with the Improvements which shall be made and in accordance with those plans, specifications, profiles and estimates of cost for the Improvements and with the route and termini and other details and descriptions as set forth therein.

Section 3: This Council finds and determines that the Improvements constitute "public improvements" and "shoreline improvement projects" under Section 1710.01 of the Revised Code and are conducive to the public health, convenience and welfare of this City and its inhabitants, and the lots and lands to be assessed as described in Section 4 are specially benefited by the Improvements.

Section 4: The entire cost of the Improvement for each parcel shall be assessed in proportion to the benefits that may result from the Improvement upon each the Assessment Property.

Section 5: All claims for damages resulting from the Improvements that have been legally filed shall be inquired into after completion of the Improvements, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

Section 6: The special assessments to be levied on the Assessment Properties shall be paid in 15 annual (30 semiannual) installments, with interest on the unpaid balance of each special assessment at the same rate as shall be borne by the bonds to be issued on behalf of the City and SID in anticipation of the collection of the unpaid special assessments; provided that, the owners of the Assessment Properties may pay all or a portion of the special assessment in cash prior to its certification for collection with the County Fiscal Officer.

Section 7: The City of Euclid shall deliver a certified copy of this resolution to the County Fiscal Officer within 15 days after its passage.

Section 8: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 9: That this resolution shall take immediate effect.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

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Mayor

ATTACHMENT A – ASSESSMENT PARCELS

Those parcels identified in the land records of the County of Cuyahoga, Ohio as follows:

1. Permanent Parcel No. 642-09-031 (21 Noble Beach Drive, Euclid, Ohio; Joel Downey)
2. Permanent Parcel No. 642-07-030 (11 Noble Beach Drive, Euclid, Ohio; Meg McGarry)
3. Permanent Parcel No. 644-08-008 (25581 Edgecliff Drive, Euclid, Ohio; Patricia Brickman)

Ordinance No.

By: Mayor Holzheimer Gail

An ordinance levying special assessments for acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the city included within the Lake County Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto, and declaring an emergency.

WHEREAS, property owners within the City petitioned Council to form a Shoreline Special Improvement District to provide assistance in abating erosion along the shoreline of Lake Erie, and Euclid City Council approved such petitions under Ordinance 94-2020 in Fall 2020 and joined in the formation of the Lake County Communities Shoreline Special Improvement District, Inc. (the SID), incorporated in Spring 2021; and

WHEREAS, property owners within the SID have submitted special assessment improvement petitions to this Council in accordance with the Improvement Plan implemented by the SID requesting that erosion abatement improvements proceed on their properties and that the City levy special assessments upon their properties for the costs of those erosion abatement improvements pursuant to Chapters 727 and 1710 of the Revised Code; and

WHEREAS, this Council has declared the necessity and determined to proceed with the improvements as petitioned pursuant to its resolution adopted September 19, 2022 (the Resolution of Necessity and Determination to Proceed);

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

Section 1: The special assessments for the cost and expense of acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion, together with all necessary appurtenances thereto (the "Improvements") pursuant to the Resolution of Necessity and Determination to Proceed on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed on the lots and lands provided for in the Resolution of Necessity and Determination to Proceed in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits, statutory limitations having been waived by the petitioning property owners. This Council finds and determines that the special assessments are in the same proportion to the estimated assessments as the actual cost of the Improvements is to the estimated cost of the Improvements as originally filed and upon which the estimated assessments were based.

Section 2: The special assessments shall be payable in cash prior to their certification to the County Fiscal Officer at the option of the owner, or shall be paid in 15 annual (30 semiannual) installments, with interest on the unpaid balance of each special assessment at the same rate as shall be borne by the bonds to be issued on behalf of the City and SID in anticipation of the collection of the unpaid special assessments. All cash payments shall be made to or at the direction of the Director of Finance of the City. All special assessments remaining unpaid at the expiration of the cash payment period shall be certified by or at the direction of the Clerk of Council to the County Fiscal Officer as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City; and for the further reason that it is urgently necessary to undertake shoreline improvement projects as soon as possible to address shoreline erosion issues posing an imminent threat to the properties along the shoreline of Lake Erie; therefore, provided that it receives the affirmative vote of two-thirds of the members elected to Council, this ordinance shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

Ordinance No.

By – Councilperson Jukic

A resolution creating an Ad Hoc Work Group consisting of at least three (3) Councilpersons to meet as necessary to discuss and make a recommendation to Euclid City Council regarding the necessity of taking and keeping verbatim minutes at regular and special council meetings.

WHEREAS, per Ohio Sunshine Laws, “a public body must keep full and accurate minutes of its meetings. Those minutes are not required to be verbatim transcript of the proceedings, but they must include enough facts and information to permit the public to understand and appreciate the rationale behind the public body’s decisions;” and

WHEREAS, currently Euclid Codified Ordinance 125.06 provides that verbatim minutes shall be taken for all regular and special meetings of Council, and shall be filed with the Clerk of Council after approval; and

WHEREAS, other cities in Ohio have already transitioned from verbatim council minutes to other formats, and the advances and acceptance of modern technology also provide opportunities for a transition away from our current practice of verbatim minutes; and

WHEREAS, this work group will review current practices and needs, discuss alternatives, and develop what content Euclid City Council would like included in council minutes in the future; and

WHEREAS, the work group will only exist for as long as needed for the group to make a decision on the necessity of verbatim minutes and make a recommendation to Euclid City Council.

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

Section 1: There is hereby created an Ad Hoc Work Group consisting of at least three (3) Councilpersons to meet as necessary to discuss and make a recommendation to Euclid City Council regarding the necessity of taking and keeping verbatim minutes at regular and special council meetings.

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 this resolution take immediate effect.

Attest:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Passed:

Approved:

\_\_\_\_\_  
Mayor

RESOLUTION OF CONGRATULATIONS

A resolution of congratulations to the Director of Euclid Public Library, **Kacie V. Armstrong**, for being named Ohio Library Council's 2022 Librarian of the Year.

WHEREAS, The Ohio Library Council honors the best and brightest individuals who have impacted the library profession by recent accomplishments who demonstrated outstanding leadership, remarkable dedication, and provided exceptional library service to their communities; and

WHEREAS, **Kacie** is well respected, an inspiration to her colleagues, and an asset to her staff by allowing them to reach their full potential; and

WHEREAS, **Kacie** was successful in achieving an increase in reporting of hard-to-count areas of Euclid during the 2020 Census, taking place during a pandemic, by use of print campaigns, programming and computer access; and

WHEREAS, **Kacie** partnered with College Now Greater Cleveland, Euclid City Schools and local private schools to develop readiness programs at Euclid Public Library to address learning loss caused by the pandemic; and

WHEREAS, **Kacie** worked closely with City of Euclid Mayor Kirsten Holzheimer Gail, the Euclid Police Athletic League and other organizations to offer engaging and enriching after-school activities for Euclid's children and teens; and

WHEREAS, **Kacie** is not only supporting the community of Euclid, but is an advocate for all Ohio public libraries by collaborating with other library leaders and boards to develop new strategies for diversity, equity, inclusion, and to identify socioeconomic disparities and increase access to social services.

NOW, THEREFORE BE IT RESOLVED:

Section 1: That the Mayor of the City of Euclid and the Euclid City Council hereby congratulate the Director of the Euclid Public Library, **Kacie V. Armstrong**, for being named Ohio Library Council's 2022 Library of the Year.

Section 2: That this Resolution take immediate effect.

Resolution No.

By - Mayor Holzheimer Gail, Councilpersons Mancuso, Tanner, Tolton, Epps, Jarosz, McIntosh, Jukic, Wojtila, Steele.

Attest:

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Clerk of Council

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President of Council

Passed:

Approved:

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Mayor