

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, OCTOBER 17, 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: None

COUNCIL MINUTES: September 6, 2022 and September 19, 2022

ADMINISTRATION REPORTS & COMMUNICATIONS:

**COMMITTEE DOCUMENTATION: Board of Control: September 26, 2022
October 3, 2022**

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

ACTION

PROPOSED

1. An ordinance authorizing the sale of Permanent Parcel Number 646-23-089, vacant land at 1491 East 193rd Street, from the Euclid Land Bank, to Pearletha Taylor for the amount of One Thousand Dollar (\$1,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Planning and Zoning) Ord. (119-22)

Comment: This would authorize a sale of a landbank parcel.

2. An emergency ordinance authorizing the sale of Permanent Parcel Number 643-10-012, vacant commercial property at 821 E 222nd Street, from the Euclid Land Bank to 821 E 222 LLC, for the amount of Thirty Thousand Dollars (\$30,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011. (Sponsored by Mayor Holzheimer Gail and Councilperson Tolton) Ord. (122-22)

Comment: This would authorize a sale of a landbank parcel that includes a structure.

3. An emergency ordinance amending #32-2022 which makes for the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2022. (Sponsored by Council President Mancuso by request of the Director of Finance) Ord. (118-22)

Comment: This would approve budget amendments.

4. An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with LAKETEC, 27881 Lorain Road, North Olmsted, Ohio 44070, the city's managed network server, to address multiple areas of concerns regarding the city's network, servers and software in an amount not to exceed \$100,196.18. (Sponsored by Mayor Holzheimer Gail) Ord. (116-22)

Comment: This would approve a contract for the upgrade and repairs to the city's network, servers and software.

5. An emergency ordinance authorizing the Recreation Director of the City of Euclid, or his designee, to enter into a contract with Revels Turf and Tractor, LLC, 301 Water Street, Wadsworth, OH 44281, for equipment for the Briardale Greens Golf Course, in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00). (Sponsored by Mayor Holzheimer Gail) Ord. (120-22)

Comment: This would approve the purchase of equipment for Briardale Greens Golf Course.

6. An emergency ordinance authorizing the Recreation Director of the City of Euclid, or his designee, to enter into a contract with E-Z GO, 1451 Marvin Griffin Road, Building #1, Augusta, GA 30906, for equipment for the Briardale Greens Golf Course, in an amount not to exceed forty one thousand dollars (\$41,000.00). (Sponsored by Mayor Holzheimer Gail) Ord. (121-22)

Comment: This would approve the purchase of equipment for Briardale Greens Golf Course.

7. An emergency ordinance amending the contract with Michigan Playgrounds, LLC dba Midstates Recreation for the design, supply and construction of recreational play structures for Tungsten Park to allocate an additional thirty-five thousand dollars (\$35,000.00) due to an unforeseen construction issue. (Sponsored by Mayor Holzheimer Gail and Councilperson Epps) Ord. (114-22)

Comment: This would approve an amendment of the contract with Michigan Playgrounds for the design, supply and construction of recreational play structures for Tungsten Park.

8. An ordinance, pursuant to Euclid Codified Ordinance 905.02, to assign an honorary street and erect a sign at the intersection of Upper Valley Drive Ord. (115-22)

and Euclid Avenue and for it to be named Stephana Caviness Way in honor of our late Ward 1 Councilperson Stephana Caviness. (Sponsored by Council President Mancuso and Councilperson Tanner)

Comment: This would authorize an honorary street at the intersection of Upper Valley Drive and Euclid Avenue and for it to be named Stephana Caviness Way in honor of our late Ward 1 Councilperson Stephana Caviness.

9. An ordinance amending Euclid Codified Ordinances Chapter 767 “Security Guards” of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Euclid to provide for the registration of armed security guards and businesses who engage same and to require a uniform when acting as an armed security guard. (Sponsored by Councilperson Tanner) Ord. (117-22)

Comment: This would authorize registration of armed security guards and the requirement of wearing uniforms.

**COMMITTEE OF THE WHOLE – PUBLIC PORTION
COUNCIL MEMBERS’ COMMENT
ADJOURNMENT**

Ordinance No.

By – Planning and Zoning Commission

An ordinance authorizing the sale of Permanent Parcel Number 646-23-089, vacant land at 1491 East 193rd Street, from the Euclid Land Bank, to Pearletha Taylor for the amount of One Thousand Dollar (\$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 September 13, 2022, the Planning and Zoning Commission recommended approval of the sale of Permanent Parcel Number 646-23-089, vacant land, from the Euclid Land Bank to Pearletha Taylor for the amount of One Thousand Dollars (\$1,000.00); and

WHEREAS, Pearletha Taylor owns the adjacent property, Permanent Parcel Number 646-23-090, and desires to purchase the 646-23-089 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 646-23-089, vacant land at 1491 East 193rd Street, from the Euclid Land Bank to Pearletha Taylor for the amount of One Thousand Dollar (\$1,000.00).

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 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 Tolton

An emergency ordinance authorizing the sale of Permanent Parcel Number 643-10-012, vacant commercial property at 821 E 222nd Street, from the Euclid Land Bank to 821 E 222 LLC, for the amount of Thirty Thousand Dollars (\$30,000.00) 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, 821 E 222 LLC desires to purchase the 641-20-044 parcel for renovation and bring into productive use with 2-3 first floor storefronts and 2 second floor residential units; and

WHEREAS, the City and 821 E 222 LLC shall enter into a purchase and development agreement with mutually agreed upon terms and conditions; and

WHEREAS, in accordance with the Euclid Land Bank Disposition Policies and given the current condition of the building as being vacant, open to the elements, and in need of significant renovations to make it weather-tight and habitable, the Department of Planning and Development concurred with the pricing policies adopted in Ordinance 98-2020 and amended by Ordinance 101-2011, which warrant a price below the appraised market value; 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 transfer property quickly for the new owner to address the property being open to the elements and stave off further decline.

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 643-10-012, vacant land at 821 E 222nd Street, from the Euclid Land Bank to 821 E 222 LLC for the amount of Thirty Thousand Dollars (\$30,000.00) as authorized by Ordinance Nos. 98-2010 and 101-2011 is hereby approved and the Mayor is authorized to enter into a purchase and development agreement to this effect.

Section 2: That City Council approves the sales price adjustment below the appraised market value due to current condition of the building, based on pricing policies adopted in Ordinance 98-2010 and amended by Ordinance 101- 2011; due the cost of implementing required improvements bringing the building to current code while recognizing the value of getting this property back into productive tax producing use.

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:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

BY: Council President Charlene Mancuso (per request of the Finance Director)

AN EMERGENCY ORDINANCE AMENDING # 32-2022 WHICH MAKES THE ANNUAL APPROPRIATION FOR ALL EXPENDITURES FOR THE CITY OF EUCLID FOR THE PERIOD ENDING DECEMBER 31, 2022.

WHEREAS, IN ORDER TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, IT IS NECESSARY THAT THE FOLLOWING SUMS OF MONEY, OR AS MUCH THEREOF AS MAY BE AUTHORIZED BY LAW, AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY, BE APPROPRIATED FOR THE CORPORATE PURPOSES AND OBJECTS OF SAID CITY AS HEREINAFTER SPECIFIED.

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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE STATE OF OHIO.

SECTION 1 : THAT TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, OVER A PERIOD ENDING DECEMBER 31, 2022. THE FOLLOWING SUMS BE AND THEY ARE HEREBY SET ASIDE AND APPROPRIATED AS HEREINAFTER SET FORTH.

SECTION 2 : THAT THE EXPENDITURES OF EACH FUND FOR THE CITY OF EUCLID CAN NOT EXCEED THE APPROPRIATION AS AMENDED, FOR THAT FUND.

SECTION 3 : THAT THERE BE AND THERE IS HEREBY APPROPRIATED FROM THE FOLLOWING FUNDS, THE DETAIL OF WHICH IS SHOWN BELOW:

101 GENERAL FUND		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
<u>Legislative Departments</u>				
101-111	COUNCIL	184,685	8,829	193,514
<u>Judicial Departments</u>				
101-121	COURT	1,569,814	441,600	2,011,414
<u>Executive Departments</u>				
101-131	MAYOR	476,753	20,400	497,153
101-132	HUMAN RESOURCES	10,000	20,500	30,500
101-133	CIVIL SERVICE	19,554	40,200	59,754
101-134	BOARDS & COMMISSIONS	-	-	-
<u>Law Department</u>				
101-141	LAW DEPARTMENT	866,065	235,950	1,102,015
<u>Finance Department</u>				
101-151	FINANCE	423,378	107,600	530,978
101-152	TAX	232,243	965,800	1,198,043
101-153	VITALS	-	298,152	298,152
101-154	INFORMATION TECH	256,865	467,923	724,788
<u>Police Department</u>				
101-211	POLICE	13,960,641	1,389,899	15,350,540
101-212	POLICE ADMIN	833,828	251,836	1,085,664
101-213	CORRECTIONS	-	450,000	450,000
<u>Fire Department</u>				
101-221	FIRE (FIGHTING, PREVENTION, INSPECTIONS)	11,296,758	244,100	11,540,858
101-222	FIRE ADMIN	90,323	21,450	111,773
<u>Protective Inspection Department</u>				
101-311	BUILDING / HOUSING	905,608	236,070	1,141,678
101-331	PLANNING AND ZONING	196,379	10,550	206,929
<u>CS & ED Department</u>				
101-411	PLANNING AND DEVELOPMENT	365,286	420,104	785,390
<u>Service Department</u>				
101-511	PUBLIC WORKS	172,209	1,651,800	1,824,009
101-521	PUBLIC BUILDINGS	672,024	274,150	946,174
101-531	HIGHWAYS AND STREETS	-	-	-
101-541	MOTOR MAINTENANCE	750,400	885,950	1,636,350
101-551	PARKS	1,098,497	114,210	1,212,707
101-561	ENGINEERING	-	71,150	71,150
101-571	SANITATION	-	2,876,300	2,876,300
<u>Recreation</u>				
101-611	RECREATION	-	-	-
101-621	SENIOR CENTER	310,635	49,700	360,335
<u>General Services</u>				
101-711	GENERAL SERVICES	10,000	2,399,350	2,409,350
<u>TRANSFERS</u>				
101-912	TO ANIMAL SHELTER -	FUND 214	100,000	100,000
	TO SHORE CORP. -	FUND 290	219,000	219,000
	TO SELF-INSUR. LIABILITY -	FUND 630	280,000	280,000
	TOTAL TRANSFERS OUT	-	-	599,000
101-913	ADVANCES			
	TO GOLF COURSE	FUND 560		
TOTAL GENERAL FUND				49,254,518
<u>SPECIAL REVENUE FUNDS</u>		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL

210	STATE HIGHWAY		149,000	149,000
211	INDIGENT DRIVER ALCOHOL PROGRAM		140,000	140,000
212	COURT COMPUTERIZATION		250,000	250,000
213	COURT SPECIAL PROJECTS		250,000	250,000
214	ANIMAL SHELTER	108,560	17,830	126,390
216	NUISANCE ABATEMENT	183,171	199,000	382,171
217	INDIGENT DRIVER INTERLOCK & ALCOHOL		30,000	30,000
220	STREET MAINTENANCE & CONSTRUCTION	1,107,075	3,705,625	4,812,700
230	COMMUNITY TV		1,809	1,809
240	RECREATION OPERATING	453,813	406,051	859,864
250	COMMUNITY DEVELOPMENT BLOCK GRANT	349,950	1,210,450	1,560,400
252	NEIGHBORHOOD STABILIZATION GRANT		102,802	102,802
253	HOME PROGRAM		123,000	123,000
255	OTHER GRANTS		5,000,000	5,000,000
258	CARES ACT		277	277
259	ARP ACT		19,409,948	19,409,948
261	COP GRANT	242,023	-	242,023
262	SAFER GRANT	656,306	-	656,306
280	LAW ENFORCEMENT TRUST		200,000	200,000
290	SHORE CORPORATION	280,201	160,800	441,001
291	UNCLAIMED MONIES		1,000	1,000
TOTAL SPECIAL REVENUE FUNDS				34,738,691
CAPITAL PROJECTS FUNDS				
		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
310	GENERAL PERMANENT IMPROVEMENT		914,385	914,385
320	RECREATION CAPITAL		900,000	900,000
330	SIDEWALK REPAIR AND REPLACEMENT		-	-
380	SIMS PARK		4,307	4,307
391	BENNINGTON HAMLET TIF		110,000	110,000
393	CMP PROPERTIES TIF		100,000	100,000
394	HARBOR TOWN TIF		650,000	650,000
395	DOWNTOWN DISTRICT TIF		165,000	165,000
396	O'REILLY PUBLIC IMPROVEMENT TIF		60,000	60,000
397	SID WATERFRONT DISTRICT		250	250
398	DOLLAR GENERAL TIF		10	10
TOTAL CAPITAL PROJECTS FUNDS				2,903,952
DEBT SERVICE FUNDS				
		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
410	BOND RETIREMENT		4,732,165	4,732,165
TOTAL DEBT SERVICE FUNDS				4,732,165
ENTERPRISE FUNDS				
		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
510	WASTE WATER TREATMENT	4,115,246	30,655,065	34,770,311
511	EQUIPMENT REPLACEMENT		621,000	621,000
512	CREEKS AND SEWERS	1,151,166	189,000	1,340,166
515	PETERSON TRUNK LINE		5,910,635	5,910,635
516	WATERLINE IMPROVEMENT		3,610,481	3,610,481
560	BRIARDALE GOLF COURSE		230,000	230,000
TOTAL ENTERPRISE FUNDS				46,482,593
INTERNAL SERVICE FUNDS				
		SERVICES	EXPENDITURES	TOTAL
630	SELF INSURANCE		321,000	321,000
TOTAL INTERNAL SERVICE FUND				321,000
TRUST & AGENCY FUNDS				
		SERVICES	EXPENDITURES	TOTAL
730	RETIRES-INSURANCE PYMTS		500	500
740	BUILDING DEPOSITS		100,000	100,000
750	STREET OPENINGS		10,000	10,000
760	REVOLVING		-	-
TOTAL TRUST & AGENCY FUND				110,500
TOTAL ALL FUNDS				\$ 138,543,419

SECTION 4 : THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREIN.

SECTION 5 : THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

SECTION 6 : 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 OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

SECTION 7: THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS 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

2nd Amendments to Appropriation Ordinance 2022

Action	Fund			\$	Description
1. Increase General Fund	101-154	IT	Other	200,000.00	IT Infrastructure/Licensing/Network Reconfig/Backup
2. Increase General Fund	101-541	Motor Maintenance	Other	265,000.00	Gasoline/Vehicle Parts
3. Increase General Fund	101-511	Public Works	Other	1,500.00	Increase in project cost (Euclid Ave & 185th St.)
TOTAL GENERAL FUND				<u>466,500.00</u>	
4. Increase CDBG Fund	250	Community Development Block Grant	Other	234,000.00	Originally appropriated 2022 award amount, however, prior year award balances were spent in 2022. These prior year award amounts need to be appropriated since they were not encumbered in the year in which they were awarded
5. Increase to HOME Fund	253	HOME	Other	23,000.00	This increase is for the EDCOR down payment assistance program. These funds are passed through the City to EDCOR.
6. Increase to Dollar General TIF Fund	398	Dollar General TIF	Other	10.00	Auditor and treasurers fees from settlement
7. Increase Waste Water	510	Waste Water Treatment	Other	7,500,000.00	To account for payments made by OWDA to vendors for the Waste Water Treatment project.
8. Increase to Golf Course Fund	560	Briardale Golf Course	Other	230,000.00	1 Fairway Mower (John Deere) 1 Rough Mower (John Deere) 1 Heavy Duty Utility (ProGator) 2 Medium Duty Utilities (Cushman) 2 Light Duty Utilities (Cushman)

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with LAKETEC, 27881 Lorain Road, North Olmsted, Ohio 44070, the city’s managed network server, to address multiple areas of concerns regarding the city’s network, servers and software in an amount not to exceed \$100,196.18.

WHEREAS, the City of Euclid is currently under a managed services contract with LAKETEC per Ordinance 21-2022; and

WHEREAS, LAKETEC has identified multiple areas of concern regarding the city’s network, servers and software; and

WHEREAS, LAKETEC will address these areas of concerns including firewall replacement, network reconfiguration, software updates, server/storage hardware updates, and purchase of Microsoft Server licensing; and

WHEREAS, costs of the contract will be shared by the General Fund and Wastewater Fund with the majority of the cost being allocated to the General Fund.

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, empowered and directed to enter into a contract with LAKETEC, 27881 Lorain Road, North Olmsted, Ohio 44070, to address multiple areas of concerns regarding the city’s network, servers and software at a cost not to exceed \$100,196.18.

Section 2: Funds to pay for this expenditure are to be derived from the General 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:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance authorizing the Recreation Director of the City of Euclid, or his designee, to enter into a contract with Revels Turf and Tractor, LLC, 301 Water Street, Wadsworth, OH 44281, for equipment for the Briardale Greens Golf Course, in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00).

WHEREAS, Briardale Greens Golf Course needs several key pieces of equipment to continue its ongoing maintenance and operations of the golf course; and

WHEREAS, The Troon team, management company for Briardale Greens Golf Course, secured competitive price quotes and the equipment is quoted at the lowest available price which includes Troon partner discounts; and

WHEREAS, this contract with Revels Turf and Tractor, LLC, includes: (1) fairway mower; (1) rough mower; and, (1) heavy duty utility vehicle; 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 so that we can purchase the equipment within the time frame set forth in the quote.

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

Section 1: That the Recreation Director of the City of Euclid, or his designee, is authorized to enter into a contract with Revels Turf and Tractor, LLC, 301 Water Street, Wadsworth, OH 44281, for equipment for the Briardale Greens Golf Course, in an amount not to exceed one hundred eighty thousand and zero dollars (\$180,000.00).

Section 2: Funds to pay for this expenditure are to be derived from Fund 560, the Briardale Greens Golf Course 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 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:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance authorizing the Recreation Director of the City of Euclid, or his designee, to enter into a contract with E-Z GO, 1451 Marvin Griffin Road, Building #1, Augusta, GA 30906, for equipment for the Briardale Greens Golf Course, in an amount not to exceed forty one thousand dollars (\$41,000.00).

WHEREAS, Briardale Greens Golf Course needs several key pieces of equipment to continue its ongoing maintenance and operations of the golf course; and

WHEREAS, The Troon team, management company for Briardale Greens Golf Course, secured competitive price quotes and the equipment is quoted at the lowest available price which includes Troon partner discounts; and

WHEREAS, this contract with E-Z GO includes: (2) Hauler 1200 Gas; (1) Hauler 800 Gas; and, (1) Hauler 800X Gas; 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 so that we can purchase the equipment within the time frame set forth in the quote.

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

Section 1: That the Recreation Director of the City of Euclid, or his designee, is authorized to enter into a contract with E-Z GO, 1451 Marvin Griffin Road, Building #1, Augusta, GA 30906, for equipment for the Briardale Greens Golf Course, in an amount not to exceed forty one thousand dollars (\$41,000.00).

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Attest:

Clerk of Council

President of Council

Passed:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail and Councilperson Epps

An emergency ordinance amending the contract with Michigan Playgrounds, LLC dba Midstates Recreation for the design, supply and construction of recreational play structures for Tungsten Park to allocate an additional thirty-five thousand dollars (\$35,000.00) due to an unforeseen construction issue.

WHEREAS, on May 16, 2022, through Ordinance No. 56-2022, Council approved the contract with Michigan Playgrounds for the design, supply and construction of recreational play structures for Tungsten Park in an amount not to exceed \$225,000 with \$200,000 coming from Community Development Block Grant (CDBG) funds and \$25,000 from American Rescue Plan Act (ARPA) funds; and

WHEREAS, since the passage of this ordinance, the playground equipment has been ordered and is nearing delivery. As the company began preparing the site, they discovered approximately 4,000 square feet of reinforced concrete buried under dirt and grass where the new playground equipment will be located; and

WHEREAS, the Departments of Planning and Development and Public Service inspected the concrete, considered alternatives to removal, including moving to other locations within Tungsten Park, and have ultimately determined that removing the concrete, backfilling with stone, and siting the playground equipment in its original location is the best and most cost-effective option; and

WHEREAS, the unexpected demolition and additional site preparation will cost an additional thirty-five thousand dollars (\$35,000.00); and

WHEREAS, this ordinance is hereby declared to be an emergency in that it provides for the health and safety of the community and it will allow administration to commence the park playground reconstruction project in a timely manner.

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

Section 1: That the Mayor of the City of Euclid or her designee is hereby authorized to amending the contract with Michigan Playgrounds, LLC dba Midstates Recreation for the design, supply and construction of recreational play structures for Tungsten Park to allocate an additional thirty-five thousand dollars (\$35,000.00) due to an unforeseen construction issue.

Section 2: That the cost for the additional demolition of the site of thirty-five thousand dollars (\$35,000.00) shall come from American Rescue Plan Act (ARPA) funds.

Section 3: The total cost of the project is now \$260,000 with \$200,000 coming from Community Development Block Grant (CDBG) funds and \$60,000 from American Rescue Plan Act (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 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 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 the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Council President Mancuso and Councilperson Tanner

An ordinance, pursuant to Euclid Codified Ordinance 905.02, to assign an honorary street and erect a sign at the intersection of Upper Valley Drive and Euclid Avenue and for it to be named Stephana Caviness Way in honor of our late Ward 1 Councilperson Stephana Caviness.

WHEREAS, on December 21, 2020, Euclid City Council amended ECO 905.03 "Honorary Street Names" which allowed for the provision of honorary street signs instead of officially changing a street name per Ohio Revised Code 723.04; and

WHEREAS, on September 30, 2022, an application and supporting materials were received by Councilperson Tanner to erect an honorary street sign at the intersection of Upper Valley Drive and Euclid Avenue and for it to be named Stephana Caviness Way in honor of our late Ward 1 Councilperson Stephana Caviness; and

WHEREAS, the application is complete and includes a sketch of the proposed sign and rendering of the sign; photographs of the area in which the sign is to be erected; a biography of Councilperson Caviness; supporting letters from organizations or individuals which provide evidence of local support for the honorary street name; signatures of no less than 75% of owners on the street indicating support for the proposed honorary street name/sign; and required fee; and

WHEREAS, Euclid City Council supports the honorary street and erection of a sign per renderings submitted for our late Ward 1 Councilperson Stephana Caviness at the intersection of Upper Valley Drive and Euclid Avenue.

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

Section 1: that this Council approves, pursuant to Euclid Codified Ordinance 905.02, the assignment and erection of a sign at the intersection of Upper Valley Drive and Euclid Avenue and for it to be named Stephana Caviness Way in honor of our late Ward 1 Councilperson Stephana Caviness.

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 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:

Mayor

Ordinance No.

By- Councilperson Tanner

An ordinance amending Euclid Codified Ordinances Chapter 767 "Security Guards" of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Euclid to provide for the registration of armed security guards and businesses who engage same and to require a uniform when acting as an armed security guard.

WHEREAS, through a discussion in a Safety Committee meeting held October 5, 2022, it was learned that there are some deficiencies in our Security Guards Chapter 767 as it relates to the registration of security guards, security companies, businesses who utilize same; and

WHEREAS, Euclid City Council believes there should be a registration component for security guards who conduct business in the city and the businesses who engage security guards; and

WHEREAS, considering the new laws in Ohio regarding carrying concealed weapons, it is also in the best interests of the City and for the safety of its residents and visitors to require armed security guards to be clearly identified by a uniform.

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

Section 1: That Chapter 767 "Security Guards" of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Euclid be and the same is hereby amended to read as follows:

**CHAPTER 767
SECURITY GUARDS**

767.01 Definitions.

767.02 Armed Security Guard Registration

767.03 Business Registration

767.04 Uniforms

~~767.01~~ **767.05 Security guards at apartments.**

~~767.02~~ **767.06 Additional requirements.**

~~767.03~~ **767.07 Security guards for large retail store areas.**

767.99 Penalty.

767.01 DEFINITIONS

(a) "Armed Security Guard" shall mean a uniformed guard armed with a handgun who is a security guard provider or engaged in the business of security services pursuant to Ohio Revised Code Chapter 4749.

(b) "Employ or hire" shall mean assigned or employed directly or indirectly by such business whether part-time, temporary or on a permanent basis regardless of whether the guard is an employee of such business or is engaged or employed by a contractor in the business of security services.

(c) "Security guard provider" means any person who engages in the business of security services.

(d) "Business of security services" means either of the following:

(1) Furnishing, for hire, watchpersons, guards, private patrol officers, or other persons whose primary duties are to protect persons or property;

(2) Furnishing, for hire, guard dogs, or armored motor vehicle security services, in connection with the protection of persons or property.

(e) "Public place" means any place which is open to and accepts or solicits the patronage of the general public such as a retail store or establishment, including those dispensing personal service, and that is not a private residence.

767.02 SECURITY GUARD REGISTRATION

(a) No individual, corporation or partnership shall operate as a security guard provider or shall engage in the business of security services within the City until such individual, corporation or partnership has registered with the Safety Director and upon registration has provided the Safety Director the following:

(1) The name, current address and Social Security number, if an individual or partnership, of the individual, partnership or corporation holding the Class A, B or C license issued by the State of Ohio Department of Commerce pursuant to Ohio R.C. 4749.03, under which such individual, partnership or corporation is operating. A copy of such license shall also be supplied to the Safety Director upon registration; and

(2) The names, current addresses and Social Security numbers of all employees engaged in the business of security services and copies of the identification cards furnished by the State of Ohio Department of Commerce to such employees.

767.03 BUSINESS REGISTRATION

Any private entity in the City of Euclid conducting business within a public place that hires an armed security guard whose assignment for any duration is to guard persons or property in such a public place openly in the presence of the general public shall register, or cause to be registered, with the Safety Director all required information as set forth in E.C.O. 767.02 and also advise the Safety Director of the duration, dates and times of said engagement of security guard services.

767.04 UNIFORMS

Anyone engaged as an armed security guard in the city shall be required to wear an identifying uniform consisting of the word "Security" in prominent letters of no less than 3 inches both on the front and back of the uniform.

767.04 767.05 SECURITY GUARDS AT APARTMENTS.

The owner of any dwelling, building, structure or apartment complex, which contains 400 or more dwelling units with a private parking lot for use by the tenants therein, shall provide one private policeman or security guard to patrol the buildings and private parking lot(s) 24 hours a day, with one additional private policeman or security guard on weekdays between the hours of 5:00 p.m. and 1:00 a.m. of the following day, and between the hours of 7:00 p.m. and 3:00 a.m. of the following day on Friday and Saturday, but if the dwelling, building, structure or apartment complex contains 700 or more dwelling units with a private parking lot(s), one private policeman or security guard to patrol the buildings and private parking lot shall be provided 24 hours a day, with two additional private policemen or security guards on weekdays between the hours of 5:00 p.m. and 1:00 a.m. of the following day, and between the hours of 7:00 p.m. and 3:00 a.m. of the following day on Friday and Saturday.

767.02 767.06 ADDITIONAL REQUIREMENTS.

The Director of Public Safety may determine that it is necessary that the owner of any dwelling, building, structure or apartment complex consisting of more than one building, which contains less than 400 dwelling units with a private parking lot for use by the tenants therein, shall provide at least one private policeman or security guard to patrol the buildings and private parking lot at all hours of each day. Such determination by the Director of Public Safety cannot and shall not be made until after a hearing on the matter is held by the Director of Public Safety after due notice to the owners of the apartment complex and each tenant and adjacent property owner is published once a week for two consecutive weeks in a newspaper of general circulation in the City. The Director of Public Safety shall, at the public hearing, solicit comments, discussion and public debate concerning the need for such security. The Director of Public Safety may order the owner to hire a security guard pursuant to this section upon a finding from the evidence submitted at the public hearing that a security guard is necessary for the protection of the health, safety and welfare of the tenants of the apartment complex and the adjacent property owners and that the lack of a security guard is and does create significant danger to the health, safety and welfare of the tenants of the apartment complex and of the adjacent property owners. The order of the Director of Public Safety shall be submitted in writing to the owner of the apartment complex, to the Chief of Police, to the Mayor and to Council.

767.03 767.07 SECURITY GUARDS FOR LARGE RETAIL STORE AREAS.

The owner or operator of any retail store area comprising a size of 100,000 square feet or greater, whether operated as one store or subdivided into two or more stores sharing common access or parking, shall provide, at the owner's expense, as minimum security, at least two private police officers or security guards to patrol the

store(s) and parking lot(s) during all hours that the store or stores are open for business. At least one of such private police officers or security guards shall be assigned to patrol the parking lot(s). Upon application approved by the Chief of Police, an alternative security plan may be utilized that is equivalent and exceeds the minimum requirements.

767.99 PENALTY.

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 2: That Chapter 767 "Security Guards" of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Euclid be and the same is hereby amended.

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 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